

# FEDERAL REGISTER

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Agencies in this issue—

Agricultural Stabilization and  
Conservation Service  
Agriculture Department  
Atomic Energy Commission  
Business and Defense Services  
Administration  
Civil Aeronautics Board  
Commodity Credit Corporation  
Consumer and Marketing Service  
Federal Aviation Administration  
Federal Maritime Commission  
Federal Reserve System  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
General Services Administration  
Interstate Commerce Commission  
Land Management Bureau  
Securities and Exchange Commission  
Small Business Administration

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Just Released

## LIST OF CFR SECTIONS AFFECTED

(ANNUAL CODIFICATION GUIDE—1968)

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# Rules and Regulations

## Title 7—AGRICULTURE

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

#### SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 9]

#### PART 725—FLUE-CURED TOBACCO

#### Subpart—Flue-Cured Tobacco, 1966-67 and Subsequent Marketing Years

##### MISCELLANEOUS AMENDMENTS

**Basis and purpose.** The amendments herein are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), to make certain amendments to the regulations in this subpart for establishing farm acreage allotments and marketing quotas, the issuance of marketing cards, the identification of marketings of tobacco, the collection and refund of penalties and the records and reports incident thereto for flue-cured tobacco. The amendments are discussed as follows:

(a) The first amendment provides that the reserve acreage for correcting errors and adjusting allotments for inequities shall be prorated to States on the basis of the relationship of each State's preliminary acreage allotment to the national total of preliminary acreage allotments.

(b) The second amendment provides that an allotment reduction for a violation shall be made prior to a reduction for overmarketings in a prior year.

(c) The third amendment provides that tobacco sale bills shall be furnished by warehousemen at their own expense and shall include, as a minimum, certain specified information.

(d) The fourth amendment requires the warehouseman to show on the tobacco sale bill at time of weigh-in the balance of 110 percent of the farm's quota before sale.

Notice that the third amendment was under consideration was given in the FEDERAL REGISTER of December 24, 1968 (33 F.R. 19196-19197). The comments which were received pursuant to such notice have been given consideration within the limits permitted by law.

Warehousemen need to know the provisions of this amendment as soon as possible in order to place orders for tobacco sale bills. Farmers and State and county committeemen need to know and carry out without delay the provisions of amendments one and two for the determination and utilization of 1969 Flue-cured allotments. The fourth amendment is procedural in nature. Accordingly, it is hereby found that, with

respect to amendments 1, 2, and 4, compliance with the public notice and procedure provisions of 5 U.S.C. 553 and, with respect to all the amendments, compliance with the effective date provisions of 5 U.S.C. 553 is impractical, unnecessary, and contrary to the public interest, and the amendments herein shall become effective upon the date of filing with the Director, Office of the Federal Register.

The amendments are as follows:

1. Section 725.66(a) is amended to read as follows:

§ 725.66 Correction of errors and adjusting inequities in acreage allotments for old farms.

(a) *General.* Notwithstanding the limitations contained in any other section of this subpart, the farm acreage allotment established for an old farm may be increased to correct an error or adjust an inequity if the county committee determines, with the approval of a representative of the State committee, that the increase is necessary to establish an allotment for such farm which is fair and equitable in relation to the allotments for other old farms in the community in which the farm is located. The reserve acreage for adjusting allotments under this paragraph will be prorated based on the relationship of each State's preliminary acreage allotment to the national total. The national office will advise State offices of the amount. Correction of errors shall be made out of the reserve acreage before allotments are adjusted for inequities.

2. Section 725.98 is amended by adding paragraph (m) to read as follows:

§ 725.98 Producer's records and reports.

(m) *Sequence of allotment reduction where the farm allotment is to be reduced because of a violation and overmarketings.* If the tobacco allotment for a farm is to be reduced in the current year because of both (1) a violation and (2) overmarketings in a prior year, the reduction in the allotment for the violation shall be made before making the reduction for overmarketings.

3. Section 725.99 (a) (4) and (c) are amended to read as follows:

§ 725.99 Warehouseman's records and reports.

(a) *Record of marketing.* \* \* \*  
(4) *Tobacco sale bill and MQ-80, Daily Warehouse Sales Summary.* Each warehouseman shall use tobacco sales bills furnished at his expense showing, as a minimum, the following information:  
(i) Tobacco sale bill number;  
(ii) Registration number assigned the warehouse by the Department;

(iii) Name and address of warehouse where sale is held;

(iv) Identification of other producers having an interest in the tobacco;

(v) Check block to show whether the tobacco is tied or untied;

(vi) Date of sale;

(vii) Number of pounds in each basket or sheet;

(viii) Name and address of seller and (a) farm number (including State and county codes) for producer tobacco, and (b) dealer registration number for resale tobacco;

(ix) Identification number, if available, for each basket or sheet of tobacco to be offered for sale;

(x) Pounds balance before and after sale for producer tobacco based on 110 percent of farm quota;

(xi) Name or symbol of purchaser of each basket or sheet which is sold;

(xii) Gross number of pounds sold;

(xiii) Sales price for each basket or sheet and gross sale price for all baskets or sheets sold;

(xiv) Nonauction purchases by the warehouse holding the sale;

(xv) Tobacco grade for tobacco consigned to price support;

(xvi) Marketing quota penalty collected; and,

(xvii) Amount withheld from sale to cover claims due the United States.

A copy of a suggested format for the tobacco sale bill has been filed at the Office of the Federal Register. Copies of the suggested format may be obtained from the Director, Farmer Programs Division. The warehouseman shall not weigh in any tobacco for sale unless a card (MQ-76 for producers, MQ-79-2 for dealers) is furnished the weighman. The buyer and grade space on the tobacco sale bill shall show (a) nonauction purchases by the warehouse, (b) tobacco grade for tobacco consigned to price support, and (c) the symbol for tobacco bought by private buyers. At the end of each sale day the tobacco sale bills shall be sorted and filed in numerical order. A copy of the executed Form MQ-80, Daily Warehouse Sales Summary, shall be furnished to marketing recorder for the Kansas City Data Processing Center (KCDPC).

(c) *Marketing card.* Each marketing of tobacco from a farm shall be identified by a marketing card issued for the farm. The card shall be executed as follows:

(1) *Auction sale.* A marketing card used to cover an auction sale shall show on the reverse side the pounds balance of the "110 percent of quota". At time of weigh-in, the tobacco sale bill shall show the pounds balance of 110 percent of the farm's quota. The tobacco sale bill shall show the pounds on which penalty is due, and the amount of penalty.



(Secs. 301, 313, 314, 317, 373, 375, 52 Stat. 38, as amended, 47, as amended, 48, as amended, 79 Stat. 66, 52 Stat. 65, as amended, 66, as amended; 7 U.S.C. 1301, 1313, 1314, 1314c, 1373, 1375)

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

Signed at Washington, D.C., on January 31, 1969.

LIONEL C. HOLM,  
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-1543; Filed, Feb. 5, 1969; 8:49 a.m.]

## PART 728—WHEAT

### Subpart—Regulations Pertaining to Farm Acreage Allotments, Yields, Wheat Certificate Program for Crop Years 1968-69, and Wheat Diversion Program for the 1969 Crop Year

#### COUNTY PROJECTED YIELDS AND COUNTY DIVERSION PAYMENT RATES FOR 1969 CROP; CORRECTION

In F.R. Doc. 68-14263 appearing at page 17881 in the issue of Tuesday, December 3, 1968, the following corrections should be made in the tabular material of § 728.515(f).

1. Under Idaho, for Kootenai County, change the entry in the second figure column from "1.21" to "1.23".

2. Under Missouri:  
a. For Platte County, change the entry in the first figure column from "30.9" to "31.9".

b. For Shelby County, change the entry in the first figure column from "31.1" to "32.1".

3. Under Oregon, for Union County, change the entry in the first figure column from "41.6" to "43.4".

4. Under Washington:  
a. For Spokane County, change the entry in the first figure column from "54.0" to "53.5".

b. For Yakima County, change the entry in the first figure column from "43.7" to "45.7".

(Secs. 339(g), 375(b), 379; 52 Stat. 66, 76 Stat. 624, 76 Stat. 630; 7 U.S.C. secs. 1339(g), 1375(b), 1379)

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 30, 1969.

LIONEL C. HOLM,  
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-1544; Filed, Feb. 5, 1969; 8:49 a.m.]

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

[Navel Orange Reg. 168]

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

#### Limitation of Handling

##### § 907.168 Navel Orange Regulation 168.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 4, 1969.

(b) Order. (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period February 7, 1969, through February 13, 1969, are hereby fixed as follows:

- (i) District 1: 948,000 cartons;
  - (ii) District 2: 252,000 cartons;
  - (iii) District 3: Unlimited movement.
- (2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: February 5, 1969.

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

[F.R. Doc. 69-783; Filed, Feb. 5, 1969; 11:47 a.m.]

[Valencia Orange Reg. 259]

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

#### Limitation of Handling

##### § 908.559 Valencia Orange Regulation 259.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19829), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the



need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 3, 1969.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period February 7, 1969, through February 13, 1969, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: Unlimited movement;
- (iii) District 3: 24,211 cartons.

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

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

Dated: February 5, 1969.

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

[F.R. Doc. 69-1645; Filed, Feb. 5, 1969;  
11:47 a.m.]

#### PART 965—TOMATOES GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

##### Expenses and Rate of Assessment

Notice of rule making regarding proposed expenses and rate of assessment, to be effective under Marketing Order No. 965 (7 CFR Part 965) regulating the handling of tomatoes grown in the counties of Cameron, Hidalgo, Starr, and Willacy in Tex. (Lower Rio Grande Valley), was published in the FEDERAL REGISTER July 17, 1968 (33 F.R. 10211). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to submit data, views, or arguments pertaining thereto not later than 5 days following publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters presented including the proposals set forth in the aforesaid notice,

which proposals were adopted and submitted for approval by the Texas Valley Tomato Committee, established pursuant to said marketing order, it is hereby found and determined that:

##### § 965.209 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 965, for its maintenance and functioning and for such other purposes as the Secretary determines to be appropriate, during the fiscal period ending July 31, 1968, will amount to \$400.

(b) There shall be no assessments charged during said fiscal period.

(c) The terms used in this section shall have the same meaning as when used in Marketing Order No. 965 (7 CFR Part 965).

It is hereby found that good cause exists for not postponing the effective time of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that tomatoes were not regulated and no assessments were levied.

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

Dated: January 31, 1969.

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

[F.R. Doc. 69-1517; Filed, Feb. 5, 1969;  
8:47 a.m.]

#### PART 967—CELERY GROWN IN FLORIDA

##### Expenses and Rate of Assessment

Notice of rule making regarding the proposed expenses and rate of assessment, to be effective under Marketing Agreement No. 149 and Order No. 967, both as amended (7 CFR Part 967; 33 F.R. 17845), regulating the handling of celery grown in Florida was published in the FEDERAL REGISTER November 5, 1968 (33 F.R. 16147). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to submit written data, views, or arguments pertaining thereto not later than 10 days following publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters, including the proposals set forth in the aforesaid notice which were unanimously recommended by the Florida Celery Committee, established pursuant to said marketing agreement and this part, it is hereby found and determined that:

##### § 967.204 Expenses and rate of assessment.

(a) The expenses that are reasonable and likely to be incurred during the fiscal year August 1, 1968, through July 31, 1969, by the Florida Celery Committee

for its maintenance and functioning and for such purposes as the Secretary may determine to be appropriate, will amount to \$39,250.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be one half of 1 cent (\$0.005) per crate of celery handled by him as the first handler thereof during said fiscal year.

(c) As provided in § 967.62, unexpended income in excess of expenses for the fiscal year ending July 31, 1969, may be carried over as an operating reserve.

(d) Terms used in this section have the same meaning as when used in the marketing agreement and this part.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal year shall be applicable to all assessable celery from the beginning of such fiscal year, and (2) the current fiscal year began on August 1, 1968, and the rate of assessment herein fixed will automatically apply to all assessable celery beginning with such date.

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

Dated: January 31, 1969.

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

[F.R. Doc. 69-1518; Filed, Feb. 5, 1969;  
8:47 a.m.]

#### Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agri- culture

[Milk Order 2]

#### PART 1002—MILK IN NEW YORK- NEW JERSEY MARKETING AREA

##### Subpart—Cooperative Payment Rules and Regulations Approval of Ten- tative Amendment

Pursuant to the provisions of § 1002.89 (i) of the order, as amended, regulating the handling of milk in the New York-New Jersey marketing area (7 CFR Part 1002), the Market Administrator of said order on January 27, 1969, issued a tentative amendment of the cooperative payments rules and regulations (7 CFR 1002.400 through 1002.434).

A copy of the stenographic record of the meeting called by the Market Administrator concerning such amendment to the rules and regulations, the briefs filed thereafter, and the tentative amendment of the rules and regulations were each forwarded by the Market Administrator to the Secretary. Upon consideration of such tentative amendment in light of the stenographic record and the briefs,



## RULES AND REGULATIONS

said amendment of the cooperative payments rules and regulations is hereby approved.

It is hereby determined that it is unnecessary and impracticable to defer the effective date of the amendment to the cooperative payments rules and regulations 30 days or more after publication in the FEDERAL REGISTER in that: (1) The cooperative payments provisions of the order as amended effective November 1, 1968, provide that any cooperative or federation qualified to receive payments under the former provisions should "continue to receive payments pursuant to and subject to the conditions specified in such former provisions on milk received during the 100-day period immediately following the effective date of this section; \* \* \* (2) immediate effectuation of the tentative amendment to cooperative payments rules and regulations issued by the Market Administrator on January 27 is necessary to provide a basis for qualifying cooperative and/or federations for payments under the amended order; (3) affected parties are well aware of the nature of and need for the amendment, a meeting to consider proposed amendments to the cooperative payments rules and regulations having been held on November 25, 26, December 4 and 5, 1968, pursuant to a notice thereof issued by the Market Administrator on November 7, 1968; (4) a Tentative Amendment to the Cooperative Payments Rules and Regulations was issued by the Market Administrator on January 27, 1969, and forwarded to qualified cooperatives and federations and other interested parties. Thus affected persons have been afforded a reasonable time to prepare for the effective date herein specified.

Accordingly, the said amendments to the cooperative payments rules and regulations are to be effective on and after February 1, 1969.

Effective date: February 1, 1969.

Signed at Washington, D.C., on January 31, 1969.

J. PHIL CAMPBELL,  
Under Secretary.

Pursuant to the provisions of § 1002.89 of the orders, as amended (7 CFR Part 1002), regulating the handling of milk in the New York-New Jersey marketing area, and of the Administrative Procedure Act (5 U.S.C. 1001 et seq.), a public meeting was held at New York, N.Y., on November 25, 26, December 4 and 5, 1968, to consider proposals for the amendment of the cooperative payments rules and regulations heretofore issued (7 CFR 1002.400 et seq.) pursuant to said order. Notice of said public meeting was issued on November 7, 1968, and published in the FEDERAL REGISTER on November 20, 1968 (33 F.R. 17183).

After due consideration of the data, views and arguments presented by interested persons at such public meeting, the cooperative payments rules and regulations heretofore amended are hereby further amended, subject to the approval of the Secretary of Agriculture, to read as follows:

1. Revoke the cooperative payments rules and regulations heretofore issued by the Market Administrator (7 CFR 1002.400 et seq.) and substitute therefor the cooperative payments rules and regulations which follow:

Subpart—Cooperative Payment Rules and Regulations Approval of Tentative Amendment

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AUTHORITY: The provisions of this subpart issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

APPLICATION

§ 1002.400 Form of application.

Each applicant for cooperative payments pursuant to § 1002.89 shall submit an application to the market administrator, on forms or in the manner prescribed by the market administrator. Such application shall contain the following information:

(a) The name and address of the applicant and whether a cooperative or federation.

(b) The type of payments applied for.

(1) Marketwide services exclusive of the operation of marketing and processing facilities.

(2) Marketwide services including operation of marketing and processing facilities.

(c) A statement in the form of a resolution passed by the board of directors of applicant association stating its intention to perform the required marketwide services for which it is applying for payments.

(d) Such additional information as required by §§ 1002.401 through 1002.409.

§ 1002.401 Legal organization of applicant.

Each applicant shall submit the following information with respect to its organization:

(a) When, where, and under what laws it is incorporated.

(b) A copy of charter and bylaws, including all amendments thereto to date of application.

(c) The names and addresses of directors and officers.

§ 1002.402 Data for applicant cooperative.

An applicant cooperative shall submit the following information:

(a) A specimen copy of contract or other document denoting producer membership.

(b) The percentage of business with nonmembers during the most recent 12-month period.

(c) The number of members and, if there be more than one class of membership, the number of members in each class at the end of the preceding month.

(d) The names of pool plants and pool bulk tank units to which the members are delivering milk.

(e) The amount per hundredweight of milk received from members who are producers as defined in § 1002.6 and method of collection.

(f) The amount per hundredweight of milk received from any members who are not producers as defined in § 1002.6, if any.

(g) The name and business address of each of its affiliated cooperatives.

(h) The information required by § 1002.404 for each of its affiliated cooperatives.

(i) The name and address of each affiliated organization which is not an affiliated cooperative, as defined in § 1002.89(a) (4) and the nature of the affiliation, together with the method of reimbursement for services by either organization to the other.

§ 1002.403 Data for applicant federation.

An applicant federation shall submit the following information:

(a) The name and business address of each of its federated cooperatives.

(b) The information as required by § 1002.404 for each of its federated cooperatives.



(c) The name and address of each affiliated organization which is not a federated cooperative, as defined in § 1002.89(a)(3), and the nature of such affiliation, together with the method of reimbursement for services by either organization to the other.

**§ 1002.404 Data for each affiliated or federated cooperative.**

(a) When, where, and under what laws the cooperative is incorporated.

(b) The names and addresses of directors and officers of the cooperative.

(c) Copies of the charter, bylaws, and all amendments thereto to date of application, and a specimen of documents denoting producer membership in the cooperative.

(d) A copy of the contract(s) defining the relationship between the cooperative and the applicant.

(e) The amount per hundredweight of milk the cooperative receives from its members and method of collection.

(f) The percentage of business that the cooperative did with nonmembers during the most recent 12-month period.

(g) The number of members of the cooperative and, if there be more than one class membership, the number of members in each class at the end of the preceding month.

(h) The names and locations of the pool plants and pool bulk tank units to which the members of the cooperative are delivering milk.

(i) The amount per hundredweight received by applicant from the cooperative and the collection method used.

(j) The nature of any marketwide services to be performed by the cooperative on behalf of the applicant, the nature of control by applicant over such performance and the method of payment, if any, by the applicant for the performance of such services.

**§ 1002.405 Operating facilities.**

Each cooperative or federation which applies for payments on the basis of operating facilities shall report the following:

(a) The names and locations of pool plants and pool bulk tank units operated by applicant or its affiliated or federated cooperatives and the amount of milk handled by each for the most recent 12-month period.

(b) The name and location of each of the processing facilities controlled by applicant or its affiliated or federated cooperatives, the nature of the control exerted and the daily processing capacity of each. The basis for determination of claimed capacity shall be explained in detail.

(c) The amount of milk marketed by its member producers during the most recent 12-month period.

(d) The details of the arrangement whereby it stands willing to accept non-member milk on a temporary basis.

**§ 1002.406 Program of marketwide services.**

Each applicant shall specify its proposed program, including its projected

budget for the next fiscal year, for the performance with respect to:

(a) The marketwide services referred to in § 1002.89(e)(1) through (7).

(b) Any other services not included in (a), noting those on behalf of dairy farmers who are not member producers.

**§ 1002.407 Personnel.**

With respect to its ability to perform the marketwide services, each cooperative or federation shall supply the following information concerning personnel.

(a) A list of the names of personnel specified in § 1002.415(a)(1) through (4) and (b)(1) and a statement of the training and experience of each that will indicate the bases for his qualification to perform his duties.

(b) A statement of contemplated changes in personnel.

(c) A statement of the numbers of other personnel employed by applicant to carry out its program listed according to the type of job performed and whether full-time or part-time employment.

**§ 1002.408 Control of utilization.**

(a) Each applicant shall state how it is assured that it is in no way precluded, or how its affiliated or federated cooperatives are assured that they are not precluded, from arranging for the utilization of milk under their respective control so as to yield the highest available net return to all producers without displacing an equivalent quantity of producer milk in the preferred classifications.

(b) In the event that the applicant, or an affiliated or federated cooperative, has a contract with a handler for the disposition of milk, the applicant shall submit a copy of each such contract, or the pertinent parts of the contract, for the purpose of showing that applicant is able to comply with subparagraph (b)(4) of § 1002.89.

**§ 1002.409 Additional information.**

(a) The market administrator may request of any applicant additional information if that contained in the application is insufficient to determine whether the applicant is qualified to receive payments.

(b) Prior to the issuance of a designation by the market administrator, an applicant may submit additional information which may be pertinent either because of the issuance of rules with respect to designation, or because of a change in the program of the applicant.

(c) In the event that an application has been filed under rules and regulations that have been superseded by these provisions, applicant will be required to submit all additional material specified in these provisions before its application will be considered complete.

**DESIGNATION**

**§ 1002.410 Procedure.**

(a) Each application shall be subject to investigation and verification prior to any determination as to the eligibility of the applicant to receive payments pursuant to § 1002.89.

(b) The notice of the designation of a cooperative or federation to receive payments shall indicate the applicable rate of payment and the name of each association included in the designation as an affiliated or federated cooperative.

(c) Each revision in the applicable rate of payment or in the list of affiliated or federated cooperatives shall be based upon a determination by the market administrator, except as provided in paragraph (d) of this section.

(d) An official notice from a designated cooperative or federation that its affiliation contract with an affiliated or federated cooperative has been terminated shall result in the automatic removal of such association from the list of affiliated or federated cooperatives included in the designation as of the effective date of contract termination.

(e) Before a negative determination on an application for designation is issued, the market administrator, or his representative, shall be available, on appointment, to meet with directors of the applicant association to discuss the material which would indicate the negative determination.

**§ 1002.411 Determination as to whether an association of producers is a cooperative.**

The determination as to whether an association of producers meets the definition of a cooperative specified in § 1002.89(a)(1) shall be made by the market administrator. For purposes of said definition, such an association shall be deemed qualified under the Capper-Volstead Act only if the Secretary has issued a determination indicating that the association is eligible to vote its membership en bloc in producer referenda relative to amending the orders.

**§ 1002.412 Determination as to whether an applicant is a federation of cooperatives.**

An applicant to be considered a federation of cooperatives must have a membership consisting of organizations incorporated under the cooperative corporations law of a State, and at least 90 percent of the member associations must be cooperatives as defined in § 1002.89(a)(1). The activities of the applicant must be under the control of its member associations; 75 percent of the voting power must be controlled by federated cooperatives or by federated cooperatives and other cooperatives qualified individually to receive payments under § 1002.89, and a negative vote by two-thirds of the federated cooperatives voting must be sufficient to veto any proposed action.

**§ 1002.413 Producer membership in cooperatives.**

(a) The claim of a cooperative that a producer is a member producer shall be supported by a document signed by the producer, or his authorized agent, except:

(1) Where the bylaws of the cooperative provide for the membership of a producer without signature where such



producer refuses to sign on the basis of religious scruples; or

(2) Where the bylaws of an applicant cooperative provide for a class of membership or extension of membership to members of another association having such membership documents: *Provided*, That such arrangement does not subordinate the rights of any portion of the membership of the applicant association with respect to representation in the formulation of policy regarding performance of marketwide services for which payments are being made or applied for: *Provided further*, That a clear line of authority for the arrangement exists and the bylaws or producer contracts of the association having the membership documents expressly authorize such an arrangement, including extension of membership.

(b) A member producer must conform to all requirements of the bylaws or contracts of applicant association applicable to him as well as, where relevant, the affiliated or federated cooperative of which he is a member and the affiliated or federated cooperative of which he is a member must conform to all requirements of the bylaws or contracts of the applicant association applicable to it: *Provided*, That the failure of a cooperative to receive at least the requisite 1 cent per hundredweight amount from a claimed member producer shall be taken as evidence of nonconformance of such member to its bylaws.

(1) A member claimed by an undesignated cooperative must conform to all applicable requirements of the bylaws of the undesignated association if such membership is to be considered valid for purposes of the waiting period described in § 1002.89(a)(5)(iii): *Provided*, That the failure of an undesignated cooperative to receive dues from a claimed member shall be taken as evidence of nonconformance of such member to its bylaws.

(c) The determination of the market administrator as to whether two or more farms operated by one individual are one or more than one business unit shall resolve the question as to whether they are to be considered as operated by one or more than one producer.

(d) The market administrator shall consider the previously valid claim by an association that a dairy farmer is a member producer to have been invalidated for cooperative payments purposes if he finds any of the following conditions to prevail and shall notify the applicable association of such claim invalidation so that the cooperative may renew its claim if such renewal is appropriate:

(1) The dairy farmer ceases, for a 3-month period, to be a producer as defined in § 1002.6.

(2) The dairy farmer is found to be shipping to a nonpool plant unless he also continues to meet the conditions of § 1002.6.

(3) The dairy farmer ceases, for a 3-month period, to make the requisite payment of 1 cent per hundredweight of milk to the cooperative.

(4) The association has failed to respond in writing in the affirmative within

14 days to a written inquiry by the market administrator, as to whether the producer is or is not a member.

(e) The determination as to whether an individual meets the definition of member producer shall be made by the market administrator. If an individual claimed by an association is found to be unable to meet the definition the cooperative shall be so notified.

#### § 1002.414 Marketing and processing facilities.

(a) The rate of payment relating to operation of marketing facilities and control of processing facilities shall be based on a determination of the market administrator and any change in such rate shall be based only on his revised determination.

(b) In determining the percentage of milk received from member producers at pool plants or pool bulk tank units operated by the applicant and its affiliated or federated cooperatives, such percentage shall be computed on the basis of the most recent 12-month period.

(c) In determining the percentage of milk received from member producers capable of being handled at processing facilities controlled by applicant and its affiliated or federated cooperatives, such percentage shall be computed on the basis of the average total deliveries per day from member producers during the preceding May and June.

(d) Each determination of the handling capability of processing facilities shall be based only on the capacity of plants or other facilities located in the States of New York, New Jersey, or Pennsylvania, controlled by applicant or its affiliated or federated cooperatives and equipped to receive milk and thereafter manufacture it into such products as ice cream, ice cream mix, evaporated or condensed milk, nonfat dry milk solids, butter, and cheese. Such plant or facility shall be operated by designated cooperative or federation or its affiliated or federated cooperatives or else maintained by them at all times in such manner that full operation can be resumed within 7 days.

#### § 1002.415 Personnel.

An applicant to be designated must employ at least the following personnel on a full-time basis, except as provided below with respect to lawyer: *Provided*, That the market administrator may waive the requirements with respect to formal education if he finds on the basis of evidence presented by the cooperative or federation that the employee has demonstrated in his other training and experience that he is qualified to occupy the position.

(a) *Supervisory personnel*—(1) *Economist*. A person who has a college degree, with additional training at least equivalent to that required for a master's degree with specialization in agricultural economics. The additional training may be either college training or experience acquired through working for a disinterested research agency, such as a governmental agency, or an endowed foundation. In addition, he must have at

least 3 years of experience in the field of milk marketing.

(2) *Lawyer*. A lawyer who must be a member of the bar in good standing and who is employed by the applicant on a full-time or on a retainer basis. If employed on the latter basis, his retainer shall require that he give priority attention to the affairs of the cooperative or federation.

(3) *Field supervisor*. A person with education or experience equivalent to that of a person with a bachelor's degree with a major in agricultural marketing, dairy marketing or related subjects, and 5 years' experience in educational work among farmers, a part of which included the supervision of other persons engaged in such work.

(4) *Editor*. A person with education, training, or experience equivalent to that of a college degree in journalism or related subjects, and 5 years' experience in agricultural journalism.

(b) *Subordinate personnel*—(1) *Fieldman*. (i) A person with education equivalent to that of a person with a bachelor's degree, with a major in agricultural marketing, dairy marketing or related subjects, and 2 years' experience in educational work among farmers. Sufficient fieldmen must be employed on a full-time basis to meet the day-to-day problems of the cooperative or federation. Any additional fieldmen may be employed on a part-time basis to supplement the work of full-time fieldmen in carrying out the program of the cooperative with respect to producer education.

(ii) Persons with less education or experience than that required for fieldmen may be hired as assistant fieldmen and may qualify for fieldmen by participating in on-the-job training programs conducted by the cooperative or federation.

(2) *Other personnel*. A cooperative or federation must maintain a full-time staff of other employees sufficient to carry out the details of the program of marketwide services required by the order provisions.

#### § 1002.416 Facilities.

The applicant must possess facilities which permit the personnel specified in § 1002.415 to operate efficiently.

#### § 1002.417 Program for marketwide services.

(a) The program for marketwide services submitted by the applicant must be in sufficient detail to demonstrate that the program will result in the performance of the marketwide services required in the provisions of the order and the regulations with respect to performance.

(b) The proposed budget for financing the program must be presented in sufficient detail to permit evaluation as to whether fulfillment of the outlined services is feasible.

#### § 1002.418 Publications.

(a) The applicant must issue an official publication containing milk marketing information for members and nonmembers.

(b) The issuance of a publication by an affiliated or federated cooperative



shall be considered an activity of the cooperative or federation with which it is affiliated only to the extent that the material so published is prepared under the direction and supervision of the management of the cooperative or federation.

# PERFORMANCE

## § 1002.420 Reports of cooperatives or federations.

(a) Each designated cooperative or federation shall file its annual report with the market administrator for its preceding fiscal year within 3 months of the close of its fiscal year. Such report shall include:

(1) A description of any changes which have occurred with respect to the information required pursuant to §§ 1002.401 through 1002.409 since the filing of its application for designation or its annual report for the preceding period.

(2) A complete financial report including its allocation of cooperative payments receipts to the various categories of expenditure for its performance of marketwide services enumerated in § 1002.421 as proposed for inclusion in the public report. The allocations shall be accompanied by detailed statements of the bases for its allocations to enable the market administrator to verify accuracy of the report.

(3) A narrative report which shall cover the complete activities of the association related to performance of the marketwide services and other provisions of the cooperative payments section of the order. The narrative shall follow the topic sequence of category allocations appearing in the financial report and bear comparable title identifications. Each category shall be summarized as proposed for issuance in the public report.

(4) A brief description of its proposed program of marketwide services for the following fiscal year, including its projected budget relative thereto. Emphasis is to be placed on any planned changes from the previous year.

(5) A copy of the public report it proposes to release. This shall be identified as "Proposed Public Report".

(b) Each designated cooperative or federation shall publish its public report of its performance of marketwide services for the preceding fiscal year in its official publication not later than the second regular issue following certification of such report by the market administrator and make copies available to him for distribution to interested persons upon request. The public report shall include:

(1) The amount of cooperative payments received.

(2) An allocation of cooperative payments receipts to the categories of expense indicated in § 1002.421 and a summary statement of its performance with regard to each category listed. The financial and narrative details shall be sufficiently informative to provide reasonable insight into the nature of its performance.

(3) A copy of the certification by the market administrator that the report is, to the best of his knowledge, accurate and in accordance with the rules and regulations issued by him.

(4) A list showing the name of each of its affiliated or federated cooperatives and the name and mailing address of the secretary of each such association.

(c) Each designated cooperative or federation shall file, or cause to be filed, the following reports and information with the market administrator, at the times indicated, for itself and each of its affiliated or federated cooperatives:

(1) A balance sheet and operating statement together with a complete statement on any distributions of cash, stock, or other apportionment of reserves to members, within 6 months of the close of the fiscal year.

(2) A notice of additions and withdrawals of members who are claimed as member producers not later than the end of the month following the month of such addition or withdrawal. No producer shall be considered a member producer of a cooperative or federation prior to the first of the month preceding the month in which the required report of the addition of such producer as a member is received by the market administrator.

(3) A notice of changes in directors or officers of the designated association or of its affiliated or federated cooperatives not later than the end of the month following the month in which the change became effective.

(4) Upon demand, such information as may be required by the Secretary for review of his determination of the eligibility of the cooperative to vote its membership en bloc in producer referenda relative to amending the orders.

(d) A designated cooperative or federation shall file with the market administrator a notice of the termination of any contract with one of its affiliated or federated cooperatives not later than the end of the month following the month of such termination. Such notice shall be required whether termination results from formal proceedings by either party or is due to de facto action such as merger, dissolution or inactive status of the affiliated or federated cooperative.

(e) At such times and in such manner as the market administrator may request, the cooperative or federation shall file additional reports with the market administrator.

## § 1002.421 Form of annual reports.

The following categories shall be used for the allocation of cooperative payments receipts to expenditures, of a direct or indirect nature, incurred in the performance of marketwide services and for the narrative reports on performance in the annual and public reports. Appropriate subdivisions should be used for maximum explanation with regard to performance of marketwide services.

(a) *Policy development.* This category shall include a statement of expenditures

for and narrative relative to meetings or conferences of members, directors, delegates, employees and others for the development of policies and programs of the designated cooperative or federation for performance of marketwide services.

(b) *Market order programs.* This category shall include a statement of expenditures for and narrative relative to research, drafting, petitioning, hearing, briefing, referendum and other procedures whereby Federal or State market orders affecting producers under the orders are promulgated or amended.

(c) *Other Government-oriented activities.* This category shall include a statement of expenditures for and narrative relative to the preparation, development, and presentation of materials regarding other matters under the jurisdiction of public agencies that affect producers under the orders. This shall not include any activities covered in § 1002.421 (b).

(d) *Informational services.* This category shall include a statement of expenditures for and narrative relative to meetings, publications, field activities, and other efforts to aid producers and others to become better informed concerning milk marketing problems and their solutions particularly as they affect the marketing of milk under the orders.

(e) *Maintenance of marketing and processing facilities.* This category shall include a statement of expenditures for and narrative relative to maintenance of such facilities.

(f) *Other marketwide services.* This category shall include a statement of expenditures for and narrative relative to performance of other services that are of benefit to all producers under the orders.

## § 1002.422 Verification of reports and receipts of milk from member producers.

(a) The reports required pursuant to § 1002.420 shall be subject to verification by the market administrator.

(b) Receipts of milk at pool plants and pool bulk tank units from member producers of a designated organization shall be subject to verification by the market administrator, and in the event that the volume of such receipts is different from that reported by the handler in its monthly report, the payment to the organization shall be adjusted accordingly by the market administrator by debiting or crediting the organization's account with the market administrator.

## § 1002.423 Consultation on milk marketing problems.

The association on reasonable notice shall make available its economist and other qualified personnel to consult with the market administrator, or his representative, with respect to milk marketing problems and their solutions, and the economist shall be prepared to discuss with the market administrator, or his representative, the progress being made by the association in carrying out research or analysis of marketing problems.



#### § 1002.424 Formulation of proposed amendments and participation in hearings and meetings.

(a) Copies of all documents filed with respect to the items set forth below shall be filed with the market administrator at the same time as they are filed with the U.S. Department of Agriculture, the New York State Department of Agriculture and Markets, and the Division of Dairy Industry, New Jersey Department of Agriculture:

- (1) Petitions for amendments.
- (2) Briefs filed following hearings.
- (3) Exceptions filed to recommended decisions.
- (4) Written data, views, or arguments with respect to any rule-making procedure affecting the marketing orders.

(b) The records of amendment hearings and meetings with respect to rules and regulations shall be examined by the market administrator to determine the degree of participation by the cooperative or federation receiving cooperative payments.

#### § 1002.425 Referendum of producers.

(a) The cooperative or federation shall assist the referendum agent in any referendum conducted with respect to proposed amendments to the orders particularly in distribution of referendum materials. Member producers of a designated cooperative or federation either must vote collectively on proposals, or else the designated cooperative or federation must conduct an intensive educational program for members and nonmembers for the guidance of the individual in voting.

#### § 1002.426 Educational meetings.

(a) Each designated cooperative or federation shall hold a sufficient number of educational meetings open to both members and nonmembers so that at least one such meeting shall be held each year within 50 miles of each plant at which the milk of member producers of the cooperative or federation is delivered: *Provided*, That a meeting held jointly by more than one designated cooperative or federation may be considered by each as one of its own educational meetings only if each organization actively participates in the conduct of such meeting: *Provided further*, That the designated cooperative or federation may propose an alternative program of educational meetings that the market administrator may approve as a substitute means to insure that both members and nonmembers will be well informed for participation in the activities under the regulatory program.

(b) Notice of each such meeting shall be sent to the market administrator in sufficient time to permit the market administrator to have a representative present, if he so desires. The notice shall indicate the nature of participation by each designated participant in any joint meetings.

(c) The cooperative or federation shall report to the market administrator the means used by such cooperative or federation to notify nonmembers of such meetings.

#### § 1002.427 Distribution of publications.

(a) The official publication of the cooperative or federation shall be issued at least once a month and distributed to all of its member producers and to nonmembers on the same subscription basis.

(b) One copy of the publication shall be filed with the market administrator.

#### § 1002.428 Services performed by an affiliated or federated cooperative.

(a) A designated cooperative or federation may engage one or more of its affiliated or federated cooperatives to perform specific services: *Provided*, That the cooperative or federation shall exercise the same kind and degree of control over the performance of such services as it would if such services were being performed by its own personnel. The cooperative or federation may make payment to the affiliated or federated cooperative for the performance of such services, such payment for each category of activity to be either on the basis of a stipulated rate which shall be uniform with respect to all of its affiliated or federated cooperatives or in the form of reimbursement for actual expenditures. The opportunity to perform such services for the designated organization and to receive payment therefor shall be open to any of its affiliated or federated cooperatives which is equipped to perform the services. Performance of services by an affiliated or federated cooperative for the cooperative or federation on the basis herein described shall be considered as performance of the services by the cooperative or federation itself for the purpose of cooperative payments.

(b) With respect to those services for which cooperative payments are provided, activities of an affiliated or federated cooperative shall not be considered the activities of the cooperative or federation if the cooperative or federation does not exercise over them the same kind and degree of control as it would exercise over the activities of its own personnel and any payment by a cooperative or federation to an affiliated or federated cooperative with respect to such activities shall be considered contrary to the intent of the provisions of § 1002.89.

#### § 1002.429 Receipts of money from members.

Any cooperative which makes patronage payments to its members which result in a net receipt from members of less than 1 cent per hundredweight of milk shall cause the members receiving such payments to fall to meet the definition of member producer unless such payments are applicable to an allocation or apportionment of reserves made for a period ending not less than 5 years prior to date of payment or were made to the estate of a bankrupt or deceased member.

#### PROCEDURES FOR CERTIFICATION OF PUBLIC REPORTS

#### § 1002.430 Application for certification.

(a) The filing of a copy of the proposed public report by a designated cooperative or federation with the market adminis-

trator shall be deemed an application for certification of such report by him.

(b) Each application for certification by the market administrator shall be subject to investigation and verification prior to his issuance of any certification or refusal to certify.

#### § 1002.431 Determination on certification.

(a) After a determination by the market administrator that he is willing to certify that the public report as proposed for publication is, to the best of his knowledge, accurate and in accordance with his rules and regulations, he shall mail a copy of his certification to the cooperative or federation.

(b) In the event that the market administrator determines that he cannot find a reasonable basis to certify that the public report as proposed is, to the best of his knowledge, accurate and in accordance with the rules and regulations issued by him, he shall set forth the reasons for such determination, mail a copy of the negative determination to the cooperative or federation, and commence proceedings immediately to remove the designation of applicant association.

(1) Twenty-one days prior to issuance of a negative determination on certification, the market administrator shall notify the designated association of his inability to certify, indicating the unacceptable portions of the report and specifying the tentative date for issuance of the negative determination in the event that a report acceptable for certification is not submitted in the interim.

(2) During aforesaid 21-day period the market administrator, or his representative, shall be available, on appointment, to meet with the directors of the designated association to discuss the materials which would indicate the negative determination.

#### HEARINGS ON PROPOSED REMOVAL OF DESIGNATION

#### § 1002.440 Notice of hearing.

Not later than 10 days after receipt of a request for hearing on a proposed removal of designation, the market administrator shall issue a notice to the cooperative or federation of the time and place for such hearing.

#### § 1002.441 Presiding officer.

The hearing shall be conducted by the market administrator, or at his discretion, by a hearing examiner of either the U.S. Department of Agriculture, the New York State Department of Agriculture and Markets, or the Division of Dairy Industry, New Jersey Department of Agriculture. If such hearing is conducted by a hearing examiner, his duties shall consist of conducting the hearing and certifying the record to the market administrator for decision.

#### § 1002.442 Order of proceeding and burden of proof.

The cooperative or federation shall proceed first at the hearing and shall have the burden of proving its eligibility to receive payments.



§ 1002.443 Evidence.

(a) The cooperative or federation shall place into the record under oath or affirmation all of the evidence on which it will rely either before the market administrator or on an appeal.

(b) The market administrator shall be responsible for placing into the record under oath or affirmation any additional evidence on which he may wish to rely in making his final determination with respect to the qualification of the cooperative or federation to receive payments.

(c) Opportunity for cross-examination shall be given both to the cooperative or federation, and the market administrator.

§ 1002.444 Briefs.

A period of at least 5 days following the close of the hearing shall be permitted for the filing of a brief by the cooperative or federation.

Issued at New York, N.Y., this 27th day of January 1969.

A. J. POLLARD,  
Market Administrator.

[F.R. Doc. 69-1519; Filed, Feb. 5, 1969;  
8:47 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 68-WE-14-AD;  
Amdt. 39-718]

#### SUBCHAPTER C—AIRCRAFT

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Boeing Airplane Company Models 707, 720, and 727

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring installation of a device for positive security of the rudder pedal adjustment crank in a set position on Boeing Model 707, 720, and 727 airplanes was published in *FEDERAL REGISTER*, Vol. 33, No. 145, Friday, July 26, 1968, F.R. Doc. 68-8935, AD-No. 68-WE-14.

Interested persons have been afforded an opportunity to participate in the making of the amendment. The ATA member Airlines recommend that the AD be withdrawn based upon their opinion that it is unnecessary and unjustified, stating that the manufacturer has not received adverse comments or service reports. The manufacturer has not supplied any formal comment to the Airworthiness Rules Docket after the publishing of the NPRM. The FAA recognizes the redundancy present in the design and the

unlikely possibility of both pilot and copilot pedals slipping simultaneously. Nevertheless, it must be concluded that safety of flight would be adversely affected if slippage occurred in the controls for one pilot, necessitating a switch-over to the other pilot, at a critical point in the flight regime.

The Air Transport Association indicated concern over the availability of kits specified in the service bulletins, while acknowledging that, after receipt of the kits, the proposed 1,000 hour installation is not unreasonable. To provide for unforeseen delays in parts delivery, to permit airlines to develop their own modifications and obtain FAA approval and to make installations, the ATA recommended that the compliance time be changed to 5,000 hours. In considering these arguments the FAA has ascertained that a compliance time of 2,500 hours is reasonable and should permit adequate time for procurement of the necessary parts, or adequate time for providing an equivalent design to be incorporated.

American Airlines and Trans World Airlines have developed an equivalent installation to that provided in Boeing Service bulletins No. 2536 and 27-100. The AD as written provides for this means of compliance.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulation is amended by adding the following new airworthiness directive.

**BOEING AIRPLANE COMPANY.** Applies to Models 707, 720, and 727 listed in Boeing Service Bulletin Nos. 2536 and 27-100 (dated June 1967). Compliance required as indicated.

To prevent the rudder pedal from being displaced during application of hard foot pressure on the pedal accomplish the following:

Within the next 2,500 hours time in service after the effective date of this AD, unless already accomplished, remove the existing rudder pedal adjustment crank assembly and replace with a modified or new crank assembly in accordance with Boeing Service Bulletin No. 2536, dated June 1, 1967, for Model 707's and 720's or Boeing Service Bulletin No. 27-100 dated June 8, 1967, for Model 727's, or later FAA approved revisions, or any equivalent design approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective on March 1, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued at Los Angeles, Calif., on January 27, 1969.

ARVIN O. BASNIGHT,  
Director, Western Region.

[F.R. Doc. 69-1515; Filed, Feb. 5, 1969;  
8:47 a.m.]

#### SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9388; Amdt. 95-176]

#### PART 95—IFR ALTITUDES

##### Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of The Federal Aviation Regulations is amended, effective March 6, 1969, as follows:

##### 1. By amending Subpart C as follows:

Section 95.1001 *Direct routes—United States* is amended to delete:

*From, To, and MEA*

Prudhoe Bay, Alaska, NDB; Bettles, Alaska, NDB; \*10,000. \*9,700—MOCA.

Section 95.1001 *Direct routes—United States* is amended by adding:

Bettles, Alaska, NDB; Chip River INT, Alaska; \*10,000. \*9,800—MOCA.

Chesterfield, S.C., VOR; Fort Mill, S.C., VOR; \*2,300. \*2,000—MOCA.

Chip River INT, Alaska; Point Barrow, Alaska, NDB; \*2,000. \*1,200—MOCA.

Florence, S.C., VOR; Chesterfield, S.C., VOR; \*2,300. \*1,900—MOCA.

Lynchburg, Va., VOR; Tye River DME Fix, Va.; 3,000.

Nashville, Tenn., VORTAC; Int., 221° M rad, Nashville VORTAC and 157° M rad, Graham VOR; 18,000. MAA—45,000.

\*Oxnard, Calif., VOR; Santa Monica, Calif., VOR; 5,000. \*3,600—MCA Oxnard VOR, eastbound.

Prudhoe Bay, Alaska, NDB; Toolik INT, Alaska; 2,000.

Snowbird, Tenn., VOR; Weaverville INT, N.C.; \*7,000. \*6,800—MOCA.

Toolik INT, Alaska; Bettles, Alaska, NDB; \*10,000. \*9,700—MOCA.

Tye River DME Fix, Va.; Charlottesville, Va., LF/RBN; 4,000.

Section 95.1001 *Direct routes—United States* is amended to read in part:

Battle Creek, Mich., VOR; Centerville INT, Mich.; \*2,700. \*2,100—MOCA. MAA—12,000.

Battle Creek, Mich., VOR; Kalamazoo, Mich., VOR; \*2,500. \*2,200—MOCA. MAA—12,000.

Holly Beach INT, La.; Beaumont, Tex., VOR; 1,500.



## From, to, and MEA

## Puerto Rico Routes

## Route 1:

Cabo Rojo INT, P.R.; \*Mayaguez INT, P.R.;  
\*\*2,200. \*4,500—MRA. \*\*1,500—MOCA.

## Route 2:

San Juan, P.R., VOR; Culebra INT, P.R.;  
\*1,500. \*1,400—MOCA.  
Texas INT, P.R.; Ramey, P.R., VOR; \*2,500.  
\*2,000—MOCA.

## Route 3:

Mangrove INT, P.R.; \*Marlin INT, P.R.;  
\*\*1,500. \*2,500—MRA. \*\*1,400—MOCA.  
San Juan, P.R., VOR; \*Mangrove INT, P.R.;  
\*\*1,500. \*2,500—MRA. \*\*1,400—MOCA.

## Route 4:

Idaho INT, P.R.; Ramey, P.R., VOR; \*2,500.  
\*2,000—MOCA.

## Route 5:

Brownson INT, P.R.; \*Steelhead INT, P.R.;  
\*\*2,500. \*3,800—MRA. \*\*1,000—MOCA.  
Ramey, P.R., VOR; \*Brownson INT, P.R.;  
1,500. \*3,000—MRA.

## Route 6:

San Juan, P.R., VOR; Coral INT, P.R.; \*1,500.  
\*1,400—MOCA.

## Route 7:

Florida INT, P.R.; Point Tuna INT, P.R.;  
\*6,000. \*2,700—MOCA.  
Greenwater INT, P.R.; Lobster INT, P.R.;  
\*2,500. \*1,000—MOCA.  
San Juan, P.R., VOR; \*Greenwater INT, P.R.;  
\*\*1,500. \*2,500—MRA. \*\*1,400—MOCA.

## Route 8:

Cabo Rojo INT, P.R.; Ponce, P.R., VOR; 3,000.

## Route 9:

Caribbean INT, P.R.; Pacific INT, P.R.; \*2,500.  
\*1,000—MOCA.  
\*Hawaii INT, P.R.; Ponce, P.R., VOR; \*\*2,500.  
\*8,500—MRA. \*\*1,300—MOCA.  
San Juan, P.R., VOR; \*Caribbean INT, P.R.;  
\*\*1,500. \*2,500—MRA. \*\*1,400—MOCA.

Section 95.6001 VOR Federal airway 1  
is amended to read in part:

Coffield, N.C., VOR; Deep Creek INT, Va.;  
2,000.  
Deep Creek INT, Va.; Norfolk, Va., VOR;  
1,600.

Section 95.6002 VOR Federal airway 2  
is amended to read in part:

\*Seattle, Wash., VOR via S alter.; Black Diamond  
INT, Wash., via S alter., eastbound  
\*\*6,000, westbound \*\*4,000. \*5,200—MCA  
Seattle VOR, eastbound. \*\*3,000—MOCA.  
\*Black Diamond INT, Wash., via S alter.;  
Humphrey INT, Wash., via S alter., east-  
bound 10,000, westbound 6,400. \*7,500—  
MCA Black Diamond INT, eastbound.

Section 95.6004 VOR Federal airway 4  
is amended to read in part:

\*Seattle, Wash., VOR; Black Diamond INT,  
Wash., eastbound \*\*6,000, westbound  
\*\*4,000. \*5,200—MCA Seattle VOR, east-  
bound. \*\*3,000—MOCA.  
\*Black Diamond INT, Wash.; Humphrey INT,  
Wash., eastbound 10,000, westbound 6,400.  
\*7,500—MCA Black Diamond INT, east-  
bound.  
Humphrey INT, Wash.; Tieton INT, Wash.;  
10,000.  
Tieton INT, Wash.; Glead INT, Wash., east-  
bound \*5,500, westbound \*7,000. \*5,000—  
MOCA.

Section 95.6011 VOR Federal airway 11  
is amended to read in part:

Salem, Mich., VOR; Bloomer INT, Mich.;  
\*3,000. \*2,700—MOCA.

Section 95.6015 VOR Federal airway 15  
is amended to read in part:

Waco, Tex., VOR; Waxie INT, Tex.; \*2,500.  
\*2,300—MOCA.

Section 95.6016 VOR Federal airway 16  
is amended to read in part:

## From, to, and MEA

Sulphur Springs, Tex., VOR via N alter.;  
Avery INT, Tex., via N alter.; \*2,200.  
\*1,900—MOCA.

Section 95.6018 VOR Federal airway 18  
is amended to read in part:

Shreveport, La., VOR via N alter.; \*Cotton  
INT, La., via N alter.; \*\*1,800. \*3,000—MRA.  
\*\*1,500—MOCA.

Section 95.6020 VOR Federal airway 20  
is amended to read in part:

Fannett INT, Tex., via N alter.; Beaumont,  
Tex., VOR via N alter.; \*2,000. \*1,500—  
MOCA.  
Beaumont, Tex., VOR; Waterway INT, La.;  
1,500.  
Waterway INT, La.; Lake Charles, La., VOR;  
\*1,500. \*1,400—MOCA.

Welcome INT, La.; Turtle INT, La.; \*1,500.  
\*1,400—MOCA.

Section 95.6022 VOR Federal airway 22  
is amended to read in part:

Brookley, Ala., VOR; Soufley, Fla., VOR;  
\*2,000. \*1,400—MOCA.  
Soufley, Fla., VOR; Crestview, Fla., VOR;  
\*2,000. \*1,500—MOCA.

Section 95.6035 VOR Federal airway 35  
is amended to read in part:

Albany, Ga., VOR via W alter.; Montezuma  
INT, Ga., via W alter.; \*2,000. \*1,800—  
MOCA.

Section 95.6047 VOR Federal airway 47  
is amended to read in part:

Salem, Mich., VOR; Dennis INT, Mich.;  
\*2,900. \*2,700—MOCA.

Section 95.6066 VOR Federal airway 66  
is amended to read in part:

Franklin, Va., VOR; Norfolk, Va., VOR; 1,600.

Section 95.6069 VOR Federal airway 69  
is amended to read in part:

Shreveport, La., VOR; \*Cotton INT, La.;  
\*\*1,800. \*3,000—MRA. \*\*1,500—MOCA.  
Shreveport, La., VOR via W alter.; \*Cotton  
INT, La., via W alter.; \*\*1,800. \*3,000—  
MRA. \*\*1,500—MOCA.  
El Dorado, Ark., VOR; Pine Bluff, Ark., VOR;  
\*2,000. \*1,600—MOCA.

Section 95.6071 VOR Federal airway 71  
is amended by adding:

Baton Rouge, La., VOR via E alter.; Natchez,  
Miss., VOR via E alter.; \*2,000. \*1,700—  
MOCA.

Section 95.6077 VOR Federal airway 77  
is amended to read in part:

Langston INT, Okla., via E alter.; Ponca  
City, Okla., VOR via E alter.; \*3,000.  
\*2,600—MOCA.

Section 95.6097 VOR Federal airway 97  
is amended to read in part:

Albany, Ga., VOR via E alter.; Montezuma  
INT, Ga., via E alter.; \*2,000. \*1,800—  
MOCA.

Section 95.6141 VOR Federal airway 141  
is amended to read in part:

Hyannis, Mass., VOR; Boston, Mass., VOR;  
2,000.

Section 95.6148 VOR Federal airway 148  
is amended to read in part:

Mayer INT, Minn.; Minneapolis, Minn., VOR;  
\*2,800. \*2,500—MOCA.

Section 95.6158 VOR Federal airway 158  
is amended to read in part:

## From, To and MEA

Savanna INT, Ill.; \*Wacker INT, Ill.; 3,300.  
\*4,000—MRA.  
Wacker INT, Ill.; Polo, Ill., VOR; 3,300.

Section 95.6159 VOR Federal airway 159  
is amended to read in part:

Albany, Ga., VOR; \*Shellman INT, Ga.;  
\*\*2,000. \*2,800—MRA. \*\*1,600—MOCA.  
Shellman INT, Ga.; Eufaula, Ala., VOR;  
\*2,000. \*1,600—MOCA.

Section 95.6175 VOR Federal airway 175  
is amended to read in part:

Linden INT, Iowa; \*Manning INT, Iowa;  
\*\*4,500. \*3,900—MRA. \*\*2,800—MOCA.  
Manning INT, Iowa; Sioux City, Iowa, VOR;  
\*4,500. \*2,800—MOCA.

Section 95.6194 VOR Federal airway 194  
is amended to read in part:

Coffield, N.C., VOR; Deep Creek INT, Va.;  
2,000.  
Deep Creek INT, Va.; Norfolk, Va., VOR;  
1,600.

Section 95.6216 VOR Federal airway 216  
is amended to read in part:

Charlotte INT, Iowa; \*Wacker INT, Ill.;  
\*\*4,000. \*4,000—MRA. \*\*2,200—MOCA.  
Wacker INT, Ill.; Freeport INT, Ill.; \*4,000.  
\*2,200—MOCA.

Section 95.6218 VOR Federal airway 218  
is amended to read in part:

Waukon, Iowa, VOR; \*Belmont INT, Wis.;  
\*\*4,000. \*4,000—MRA. \*\*2,500—MOCA.  
Belmont INT, Wis.; Rockford, Ill., VOR;  
\*4,000. \*2,500—MOCA.

Section 95.6222 VOR Federal airway 222  
is amended to read in part:

Beaumont, Tex., VOR; Waterway INT, La.;  
1,500.  
Waterway INT, La.; Lake Charles, La., VOR;  
\*1,500. \*1,400—MOCA.

Section 95.6266 VOR Federal airway 266  
is amended to read in part:

Franklin, Va., VOR; Norfolk, Va., VOR; 1,600.

Section 95.6296 VOR Federal airway 296  
is amended by adding:

Port Mill, S.C., VOR; Fayetteville, S.C., VOR;  
\*3,000. \*2,700—MOCA.

Section 95.6305 VOR Federal airway 305  
is amended to read in part:

El Dorado, Ark., VOR; Sheridan INT, Ark.;  
\*2,500. \*1,700—MOCA.

Section 95.6306 VOR Federal airway 306  
is amended to read in part:

Daisetta, Tex., VOR via S alter.; Beaumont,  
Tex., VOR via S alter.; \*1,600. \*1,500—  
MOCA.  
Beaumont, Tex., VOR via S alter.; Waterway  
INT, La., via S alter.; 1,500.  
Waterway INT, La., via S alter.; Lake Charles,  
La., VOR via S alter.; \*1,500. \*1,400—  
MOCA.

Section 95.6341 VOR Federal airway 341  
is amended to read in part:

Dubuque, Iowa, VOR; \*Belmont INT, Wis.;  
3,200. \*4,000—MRA.  
Belmont INT, Wis.; Madison, Wis., VOR;  
3,200.



Section 95.7134 *Jet Route No. 134* is amended by adding:

From, To, MEA, and MAA

St. Louis, Mo., VORTAC; Palmdale, Ky., VORTAC; 18,000; 45,000.  
Palmdale, Ky., VORTAC; Int. 085° M rad, Palmdale, Ky., VORTAC and 270° M rad, Front Royal VORTAC; 23,000; 45,000.  
Int. 085° M rad, Palmdale VORTAC and 270° M rad, Front Royal VORTAC; Front Royal, Va., VORTAC; 24,000; 45,000.

Section 95.7152 *Jet Route No. 152* is amended to read in part:

Capital, Ill., VORTAC; Int. 264° M rad, Rosewood VORTAC and 087° M rad, Capital VORTAC; 18,000; 45,000.  
Int. 264° M rad, Rosewood VORTAC and 087° M rad, Capital VORTAC; Rosewood, Ohio, VORTAC; 27,000; 45,000.

2. By amending Subpart D as follows:

Section 95.8003 *VOR Federal airway changeover points*:

*Airway segment: From; To—Changeover point: Distance; From*

V-4 is amended to delete:

Seattle, Wash., VOR; Yakima, Wash., VOR; 40; Seattle.

V-184 is amended to read in part:

Millville, N.J., VOR; Atlantic City, N.J., VOR; 10; Millville.

V-222 is amended by adding:

Salt Flat, Tex., VOR; Fort Stockton, Tex., VOR; 52; Salt Flat.

(Secs. 307, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on January 28, 1969.

R. S. SLIFF,

Acting Director,

Flight Standards Service.

[P.R. Doc. 69-1455; Filed, Feb. 5, 1969; 8:45 a.m.]

## Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

### PART 121—FOOD ADDITIVES

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

ZOLENE, 3-NITRO-4-HYDROXYPHENYLARSONIC ACID

Acting on a food additive petition filed by The Dow Chemical Co., Post Office Box 512, Midland, Mich. 48640, an order was published in the FEDERAL REGISTER of November 6, 1968 (33 F.R. 16272), amending the food additive regulations with regard to zolene in the feed of replacement chickens by deleting the restriction that grower rations may not be fed to birds under 5½ weeks of age. The order so amended §§ 121.207 and 121.253; however, it is concluded that as a completion of action on the petition § 121.262 should also be amended as set forth below.

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 of Food and Drugs (21 CFR 2.120), § 121.262 3-Nitro-4-hydroxyphenylarsonic acid is amended in paragraph (c), table 1, by deleting from item 1.4 under "Limitations" the words "under 5½ weeks of age nor".

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 29, 1969.

J. K. KIRK,

Associate Commissioner  
for Compliance.

[P.R. Doc. 69-1528; Filed, Feb. 5, 1969; 8:48 a.m.]

### PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

#### FOOD STARCH-MODIFIED

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 9A2319) filed by A. E. Staley Manufacturing Co., 2200 East Eldorado Street, Decatur, Ill. 62525, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of a food starch modified by etherification treatment with not more than 0.1 percent epichlorohydrin and not more than 10 percent propylene oxide. 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 (21 CFR 2.120), § 121.1031 (e) is revised to add the subject additive combination and to change the list to a two-column format, as follows:

§ 121.1031 Food starch-modified.

(e) Food starch may be etherified by treatment with one of the following:

	Limitation
Acrolein, not to exceed 0.5 percent.	-----
Epichlorohydrin, not to exceed 0.3 percent.	-----
Epichlorohydrin, not to exceed 0.1 percent, combined with propylene oxide, not to exceed 10 percent.	Residual propylene chlorohydrin not more than 5 parts per million in food starch-modified.
Propylene oxide, not to exceed 25 percent.	-----

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 29, 1969.

J. K. KIRK,

Associate Commissioner  
for Compliance.

[P.R. Doc. 69-1527; Filed, Feb. 5, 1969; 8:48 a.m.]

## Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 20; Amdt. 3; Docket No. 69-1]

### PART 540—SECURITY FOR THE PROTECTION OF THE PUBLIC

Subpart A—Proof of Financial Responsibility, Bonding and Certification of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation

INSURANCE, GUARANTIES, ESCROW ACCOUNTS, AND SELF-INSURANCE

On January 7, 1969, the Commission published a notice of proposed rule making in the FEDERAL REGISTER (34 F.R. 217), setting forth a proposed revision to paragraph (d) of § 540.5 and inviting comments thereon from interested persons. The purpose of the amendment was to allow the Commission for good cause



shown to waive the amount of the working capital requirement for self-insurers.

Presently, under paragraph (d) of § 540.5, an applicant must, in order to qualify as a self-insurer, demonstrate financial responsibility by maintenance of net worth and working capital each in an amount determined by the Commission to be no less than 110 percent of the unearned passenger revenue of the self-insurer on the date within the 2 fiscal years immediately prior to the filing of the application by the self-insurer which reflects the greatest amount of unearned passenger revenue. Several carriers have demonstrated to the Commission that in certain instances the maintenance of the working capital requirements may be

costly and unnecessary particularly where a carrier meets the net worth requirements of General Order 20. In such instances, the net worths of these carriers would provide sufficient collateral for a substantial long-term loan to insure indemnification of passengers for nonperformance of transportation.

The only comment received in response to the Commission's notice of proposed rule making was from the Chairman of the International Committee on Passenger Lines—New York Committee, who "heartily" endorsed the Commission's proposed amendment. Inasmuch as no unfavorable comments were received relative to the Commission's proposed amendment, it shall be adopted without change.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and section 3 of Public Law 89-777 (80 Stat. 1357), paragraph (d) of § 540.5 is amended by adding the following language to the end of the second sentence: "\* \* \* : *Provided, however,* That the Commission for good cause shown may waive the requirement as to the amount of working capital."

*Effective date.* This amendment shall become effective on March 10, 1969.

By the Commission.

[SEAL]

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-1546; Filed, Feb. 5, 1969;  
8:49 a.m.]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and  
Conservation Service

[ 7 CFR Part 729 ]

### PEANUTS

#### Notice of Proposed Determinations To Be Made Regarding Supply of Valencia Type Peanuts for 1969-70 Marketing Year

At the request of interested producers, the Secretary of Agriculture is initiating a study necessary to determine whether the supply of Valencia type peanuts for the 1969-70 marketing year will be insufficient to meet the estimated demand for cleaning and shelling purposes. This is in accordance with section 358(c) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1358(c)). This section, as amended, reads in part as follows:

Notwithstanding any other provision of law, if the Secretary of Agriculture determines, on the basis of the average yield per acre of peanuts by types during the preceding 5 years, adjusted for trends in yields and abnormal conditions of production affecting yields in such 5 years, that the supply of any type or types of peanuts for any marketing year, beginning with the 1951-52 marketing year, will be insufficient to meet the estimated demand for cleaning and shelling purposes at prices at which the Commodity Credit Corporation may sell for such purposes peanuts owned or controlled by it, the State allotments for those States producing such type or types of peanuts shall be increased to the extent determined by the Secretary to be required to meet such demand but the allotment for any State may not be increased under this provision above the 1947 harvested acreage of peanuts for such State. The total increase so determined shall be apportioned among such States for distribution among farms producing peanuts of such type or types on the basis of the average acreage of peanuts of such type or types in the 3 years immediately preceding the year for which the allotments are being determined. The additional acreage so required shall be in addition to the national acreage allotment, the production from such acreage shall be in addition to the national marketing quota, and the increase in acreage allotted under this provision shall not be considered in establishing future State, county, or farm acreage allotments.

Prior to determining whether the supply of Valencia type peanuts for the 1969-70 marketing year will be insufficient under section 358(c) of the Act to meet the estimated demand for cleaning and shelling, consideration will be given to any data, views, and recommendations relating thereto which are submitted in writing to the Director, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation

Service, U.S. Department of Agriculture, Washington, D.C. 20250. To be considered, any such submissions must be postmarked not later than February 28, 1969.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on January 30, 1969.

LIONEL C. HOLM,  
Acting Administrator, Agricultural  
Stabilization and Conservation  
Service.

[F.R. Doc. 69-1516; Filed, Feb. 5, 1969;  
8:47 a.m.]

## DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

Food and Drug Administration

[ 21 CFR Part 46 ]

### PACKAGED NUTS

#### Further Extension of Time for Filing Comments on Proposed Standards of Identity and Fill of Container

In the matter of establishing definitions and standards of identity for mixed nuts without peanuts (§ 46.51), mixed nuts (§ 46.52), and peanuts with mixed nuts (§ 46.53) and a standard of fill of container for these and other packaged nut products (§ 46.54):

The notice of proposed rule making in the above-identified matter published in the FEDERAL REGISTER of September 4, 1968 (33 F.R. 12383), provided for the filing of comments thereon within 60 days of said publication date, and this provision for comments was extended to January 2, 1969, by a notice published October 10, 1968 (33 F.R. 15126).

The Commissioner of Food and Drugs has received requests for a further extension and, good reason therefor appearing, the time for filing comments in this matter is extended to March 3, 1969.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 30, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-1529; Filed, Feb. 5, 1969;  
8:48 a.m.]

## FEDERAL TRADE COMMISSION

[ 16 CFR Part 416 ]

### ADVERTISING OF ECONOMIC POISONS

#### Notice of Formulation of Revision of Proposed Trade Regulation Rule

Notice is hereby given that the Federal Trade Commission, after consideration of all relevant matters of fact, law, policy, and discretion, including all relevant matters presented by interested parties during the course of the proposed rule-making proceeding relating to the advertising of economic poisons, announced in the FEDERAL REGISTER January 25, 1968, 33 F.R. 918, and pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and the provisions of Part 1, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.11, et seq., has formulated the following revision of the proposed Trade Regulation Rule:

Sec.

416.1 The rule.

416.2 Definitions.

AUTHORITY: The provisions of this Part 416 issued under 38 Stat. 717, as amended; 15 U.S.C. 41-58.

#### § 416.1 The rule.

(a) In connection with the sale, offering for sale or distribution of any economic poison in commerce, as "commerce" is defined in the Federal Trade Commission Act, it is an unfair method of competition and an unfair or deceptive act or practice, within the meaning of section 5 of the Federal Trade Commission Act, to disseminate any advertising which contains any representation with respect to the use of said product as an economic poison which contradicts, negates, detracts from, or is inconsistent with any statement, warning, or directions for use, in the labeling of any such product.

(b) Examples of advertising which would be prohibited by this rule include, but are not limited to, representations that:

(1) The product is safer, less toxic, or less hazardous than indicated in the labeling, or

(2) Less care or fewer precautions are necessary in the preparations for use, or in the use of the product than indicated in the labeling, or

(3) The possible consequences of usage such as drift, residue, soil retention, water pollution, damage to desirable trees or other desirable plants, etc., would be less extensive or of a less deleterious degree than indicated in the labeling, or



(4) The effectiveness, or range of uses or applications exceed or are greater than indicated in the labeling.

(c) Provided, however, that nothing in this rule is to be construed as requiring affirmative disclosure in advertising of cautionary or warning material contained in the labeling of any economic poison.

#### § 416.2 Definitions.

For purposes of this rule:

(a) "Economic Poison" means "economic poison" as that term is defined in the Federal Insecticide, Fungicide and Rodenticide Act (65 Stat. 163, 7 U.S.C. 135-135k), to wit: "Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals, which the Secretary of Agriculture shall declare to be a pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant";

(b) "Advertising" includes radio and television commercials and other oral or visual representations, newspaper and magazine advertisements, flyers, brochures, sales manuals, technical literature, data sheets, and all other printed, written, graphic, or other material used for promoting the sale or use of economic poisons, but not including the "labeling" of such products as defined herein.

(c) "Labeling" means all labels, and other written, printed, or graphic matter accepted for registration of the economic poison by the Secretary of Agriculture, pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act.

For the purposes of carrying out the provisions of the statutes administered by it, the Commission is empowered to promulgate rules and regulations applicable to unlawful trade practices. Such Trade Regulation Rules express the experience and judgment of the Commission, based on facts of which it has knowledge derived from studies, reports, investigations, hearings, and other proceedings, or within official notice, concerning the substantive requirements of the statutes which it administers.

Where a Trade Regulation Rule is relevant to any issue involved in an adjudicative proceeding thereafter instituted, the Commission may rely upon the Rule to resolve the issue: *Provided*, That the respondent shall have been given a fair hearing on the applicability of the Rule to the particular case.

All interested persons, including the consuming public are hereby notified that they may file written data, views, or arguments concerning the revision of the proposed Rule and the subject matter of this proceeding with Joseph W. Shea, Secretary, Federal Trade Commission, Sixth Street at Pennsylvania

Avenue NW., Washington, D.C. 20580, not later than March 14, 1969. To the extent practicable, persons wishing to file written presentations in excess of two pages should submit 20 copies.

All interested parties are also hereby given notice of opportunity to present data, views, or arguments orally with respect to the revision of the proposed Rule at a hearing to be held at 10 a.m., e.s.t., on April 3, 1969, in Room 532 of the Federal Trade Commission Building, Washington, D.C.

The data, views, or arguments presented with respect to the revision of the proposed Rule will be available for examination by interested parties at the office of the Assistant Secretary for Legal and Public Records, Federal Trade Commission, Washington, D.C., and will be considered by the Commission before proceeding to final action in this matter.

All interested parties, including the consuming public, are urged to express their approval or disapproval of the revision of the proposed Rule, or to recommend further revisions thereof, and to give a full statement of their views in connection therewith.

Issued: February 5, 1969.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[P.R. Doc. 69-1490; Filed, Feb. 5, 1969; 8:45 a.m.]



# Notices

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Colo. 7947]

#### COLORADO

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

JANUARY 29, 1969.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR Parts 2410 and 2411, the public lands described below are hereby classified for multiple-use management. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose. Publication of this notice has the effect of segregating the described lands from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C. ch. 2) but not from leasing under the mineral leasing laws.

2. No adverse comments were received following publication of a notice of proposed classification (33 F.R. 17699). The public lands affected by this classification are described as follows:

#### MESA COUNTY

##### UTE MERIDIAN, COLORADO

T. 1 N., R. 3 W.

Those portions of the following described sections lying between the right and left banks of the Colorado River:

Sec. 11, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 13, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;

Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ .

The area described contains approximately 135 acres.

3. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2411.2c.

E. I. ROWLAND,  
State Director.

[F.R. Doc. 69-1502; Filed, Feb. 5, 1969;  
8:45 a.m.]

[OR 3281]

#### OREGON

#### Notice of Offering of Land for Sale

JANUARY 30, 1969.

Notice is hereby given that under the provisions of the act of September 19, 1964 (78 Stat. 988), and pursuant to an application from the Port of Umatilla,

McNary, Oreg., the Secretary of the Interior will offer for sale sec. 18, T. 5 N., R. 29 E., W.M., Oregon.

The land is situated within Umatilla County, Oreg., within convenient access to the Port of Umatilla, and is needed in connection with development of port facilities. By order of the Umatilla County Court on March 12, 1968, the land was zoned for heavy industrial use.

It is the intention of the Secretary to enter into an agreement with the Port of Umatilla to permit the port to purchase the land at the appraised fair market value.

Patent to the land issued under the act of September 19, 1964, supra, shall contain a reservation to the United States of rights-of-way for ditches and canals under the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945); and of all mineral deposits which shall thereupon be withdrawn from appropriation under the public land laws, including the mineral and mineral leasing laws. S $\frac{1}{2}$ S $\frac{1}{2}$  of sec. 18 is subject to a right-of-way for Oregon State Highway. The NW $\frac{1}{4}$ NW $\frac{1}{4}$  of sec. 18 is subject to a right-of-way for irrigation canal granted pursuant to the act of March 3, 1891.

VIRGIL O. SEISER,  
Chief, Branch of Lands.

[F.R. Doc. 69-1503; Filed, Feb. 5, 1969;  
8:46 a.m.]

[Serial No. U-7040]

#### UTAH

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

1. Pursuant to the Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1411-18), and to the regulations in Title 43 CFR parts 2410 and 2411, the public lands within the area described below are classified for multiple-use management. Except as noted in paragraph 3, publication of this notice has the effect of segregating the described lands from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes as amended (43 U.S.C. 1171). The lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands affected are those administered by the Bureau of Land Management within the following described areas in Rich County, Utah:

#### SALT LAKE MERIDIAN

Beginning at the northeast corner of sec. 16, T. 13 N., R. 8 E., on the Utah-Wyoming State line, thence south along the State line to southeast corner of sec. 33, T. 7 N., R. 8 E., west to the Cache National Forest boundary, northerly along the Cache National Forest boundary to the northwest corner of sec. 4, T. 11 N., R. 5 E., north 1 mile, east 2 miles, north 2 miles, east one-half mile, north 2 miles, east  $1\frac{1}{2}$  miles, north approximately 3 miles to the south shore of Bear Lake, easterly and northerly along the east shore of Bear Lake to the north boundary line of sec. 17, T. 13 N., R. 6 E., east to point of beginning.

The public domain lands within the area described aggregate approximately 167,975 acres.

3. Publication of this notice also has the effect of segregating the lands described below from all forms of appropriation, entry, location, or selection under the public land laws, including the general mining laws, and from surface use and occupancy under the mineral leasing laws.

#### SALT LAKE MERIDIAN

##### LAKE TOWN CANYON RECREATION AREA

T. 12 N., R. 5 E.

Sec. 13, lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and

W $\frac{1}{2}$ SW $\frac{1}{4}$ ;

Sec. 14, SE $\frac{1}{4}$ ;

Sec. 23, E $\frac{1}{2}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ ;

Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

T. 12 N., R. 6 E.

Sec. 6, lots 8, 11, and 12;

Sec. 7, lots 5, 6, 7, and 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ , and

SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 18, lots 1 and 2.

##### OTTER CREEK RECREATION SITE

T. 11 N., R. 5 E.

Sec. 1, lots 14 and 15.

##### LITTLE CREEK RESERVOIR RECREATION SITE

T. 11 N., R. 6 E.

Sec. 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ .

##### BIG CANYON RECREATION SITE

T. 10 N., R. 6 E.

Sec. 19, E $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

##### BIRCH CREEK RESERVOIR RECREATION SITE

T. 9 N., R. 5 E.

Sec. 24, lots 1 and 2.

T. 9 N., R. 6 E.

Sec. 19, lots 5, 6, and 12.

##### WOODRUFF CREEK RECREATION SITE

T. 8 N., R. 5 E.

Sec. 1, lots 2-9 inclusive, and S $\frac{1}{2}$ NW $\frac{1}{4}$ .

T. 9 N., R. 6 E.

Sec. 31, lots 7 and 8.

##### BEAR LAKE RECREATION SITE

T. 13 N., R. 6 E.

Sec. 16, W $\frac{1}{2}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 17, E $\frac{1}{2}$ E $\frac{1}{2}$ , and W $\frac{1}{2}$ NE $\frac{1}{4}$ ;

Sec. 20, E $\frac{1}{2}$ E $\frac{1}{2}$ ;

Sec. 21, W $\frac{1}{2}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described above aggregate 3,483.07 acres.

4. The records and maps depicting these lands are on file and may be viewed



at the Bureau of Land Management's district office, 1750 South Redwood Road, Salt Lake City, Utah; and the State Office, Federal Building, 125 South State Street, Salt Lake City, Utah.

5. For a period of 30 days from date of publication of this notice in the FEDERAL REGISTER, interested persons may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.1-2(d)).

R. D. NIELSON,  
State Director.

[F.R. Doc. 69-1504; Filed, Feb. 5, 1969;  
8:46 a.m.]

[Serial No. U-7041]

## UTAH

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

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18), and to the regulations in Title 43 CFR Parts 2410 and 2411, the public lands within the area described below are classified for multiple-use management. Except as noted in paragraph 3, publication of this notice has the effect of segregating the described lands from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes as amended (43 U.S.C. 1171). The lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (43 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands affected are those administered by the Bureau of Land Management within the following described areas in Box Elder County, Utah:

All public domain in Box Elder County within:

- Tps. 3-11 N.; Rs. 9-19 W.  
T. 12 N., R. 8 W.,  
Secs. 5, 6, 8, 18.  
T. 12 N., R. 9 W.,  
N $\frac{1}{2}$  of township, SW $\frac{1}{4}$  of township, and sec. 22.  
T. 12 N., Rs. 10-12 W.,  
T. 12 N., R. 13 W.,  
S $\frac{1}{2}$  of township.  
T. 12 N., R. 14 W.,  
All of township south and east of Highway U-30 except sec. 1.  
T. 12 N., R. 15 W.,  
S $\frac{1}{2}$  of township and S $\frac{1}{2}$  sec. 14.  
T. 12 N., R. 16 W.,  
Secs. of 28, 29, 31, 32, 33.  
T. 12 N., Rs. 17, 18, and 19 W.,  
T. 13 N., Rs. 9, and 10 W.,  
T. 13 N., Rs. 11 and 12 W.,  
That part south and east of Highway U-30.  
T. 13 N., R. 17 W.,  
Secs. 10, 15, 21, 22, 23, 25-28, 33, 34, 35.  
T. 13 N., R. 18 W.,  
Secs. 6, 7, 18, 27-35.  
T. 13 N., R. 19 W.,  
T. 14 N., R. 9 W.,  
Secs. 30-34.

- T. 14 N., R. 10 W.,  
Secs. 18-35.  
T. 14 N., R. 11 W.,  
That part south and east of Highway U-30.  
T. 14 N., R. 15 W.,  
Secs. 6, 7, 17, 18.  
T. 14 N., R. 16 W.,  
Secs. 1-14, 17-20, 23, 24, 30.  
T. 14 N., R. 17 W.,  
Secs. 1, 12, 13, 24.  
T. 14 N., R. 18 W.,  
Secs. 3-11, 17-20, 30, 31.  
T. 14 N., R. 19 W.,  
T. 15 N., R. 15 W.,  
Secs. 30 and 31.  
T. 15 N., R. 16, 18, and 19 W.

The public lands being classified for multiple-use management in the area described aggregate approximately 957,377 acres.

3. Publication of this notice also has the effect of segregating the lands described below from all forms of appropriation, entry, location, or selection under the public land laws, including the general mining laws, and from surface use and occupancy under the mineral leasing laws:

#### SALT LAKE MERIDIAN, UTAH

##### DEVIL'S PLAYGROUND RECREATION SITE

- T. 9 N., R. 16 W.,  
Sec. 4, SW $\frac{1}{4}$ ;  
Sec. 8, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

##### INDIAN SPRINGS RECREATION SITE

- T. 9 N., R. 16 W.,  
Sec. 10, SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

##### ETNA RESERVOIR RECREATION SITE

- T. 11 N., R. 18 W.,  
Sec. 6, lot 7, W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 7, lot 1.

##### DEER CAMP RECREATION SITE

- T. 11 N., R. 19 W.,  
Sec. 4, lot 6.

##### PINE RECREATION SITE

- T. 12 N., R. 17 W.,  
Sec. 36, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ .

##### POTTER CANYON RECREATION SITE

- T. 12 N., R. 16 W.,  
Sec. 32, NE $\frac{1}{4}$ ;  
Sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

##### RAFT RIVER RECREATION SITE

- T. 14 N., R. 16 W.,  
Sec. 9, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ ;  
Sec. 10, W $\frac{1}{2}$ .

In addition to the segregations listed above, livestock grazing will be excluded from the following lands:

##### LOCOMOTIVE SPRINGS WATERFOWL AREA

- T. 11 N., R. 10 W.,  
Sec. 4, lots 1, 2, 3, 4, 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 10, lots 1, 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 12 N., R. 10 W.,  
Sec. 34, all.

The above-described area aggregates 2,723.39 acres.

4. The records and maps depicting these lands are on file and may be viewed at the Bureau of Land Management's district office, 1750 South Redwood Road, Salt Lake City, Utah; and the State Office, Federal Building, 125 South State Street, Salt Lake City, Utah.

5. For a period of 30 days from date of publication of this notice in the FEDERAL

REGISTER, interested persons may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.1-2(d)).

R. D. NIELSON,  
State Director.

[F.R. Doc. 69-1505; Filed, Feb. 5, 1969;  
8:46 a.m.]

## WYOMING

### Notice of Termination of Proposed Withdrawal and Reservation of Lands

JANUARY 29, 1969.

Notice of a Bureau of Land Management application, Wyoming 15419, for withdrawal and reservation of lands for a National Girl Scout Center in Wyoming, was published as F.R. Doc. 68-11660, on pages 14477 and 14478 of the issue for September 26, 1968; amended by F.R. Doc. 68-12295, on page 15078 of the issue for October 9, 1968; and corrected on page 15883 of the October 26, 1968 issue. The Bureau has canceled its application insofar as it affects the following described lands:

#### SIXTH PRINCIPAL MERIDIAN

- T. 47 N., R. 86 W.,  
Sec. 2, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 3, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 4, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 10, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 15, NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 47 N., R. 87 W.,  
Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 33, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 35, E $\frac{1}{2}$ SE $\frac{1}{4}$ .

The areas described aggregate 1,600 acres.

Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands, at 10 a.m. on February 28, 1969, will be relieved of the segregative effect of the above-mentioned application.

Ed PIERSON,  
State Director.

[F.R. Doc. 69-1506; Filed, Feb. 5, 1969;  
8:46 a.m.]

[Wyoming 17259]

## WYOMING

### Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 30, 1969.

The Bureau of Land Management, U.S. Department of the Interior, has filed an application, Serial No. Wyoming 17259, for the withdrawal of the land described below from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, pursuant to authority of Executive Order 10355 and subject to valid existing rights.



[Docket No. G-418]

**SEA CAT, INC.****Notice of Loan Application**

JANUARY 31, 1969.

Sea Cat, Inc., Post Office Box 603, Freeport, Tex. 77541, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 62.2-foot registered length wood vessel to engage in the fishery for shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) 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. M. PATTON,  
Acting Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 69-1501; Filed, Feb. 5, 1969; 8:45 a.m.]

**DEPARTMENT OF AGRICULTURE**
**Commodity Credit Corporation  
SALES OF CERTAIN COMMODITIES  
February Sales List**

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

The U.S. Department of Agriculture announced the prices at which CCC commodity holdings are available for sale beginning at 3 p.m., e.s.t., on January 31, 1969, and, subject to amendment, continuing until superseded by the March Monthly Sales List.

The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, flaxseed, rye, rice, grain sorghum, peanuts, tung oil, butter, cheese, and nonfat dry milk.

There are no changes in the number of commodities listed for February.

Information on the availability of commodities stored in CCC bin sites may be obtained from Agricultural Stabilization and Conservation Service State

offices shown at the end of the sales list, and for commodities stored at other locations from ASCS commodity and grain offices also shown at the end of the list.

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

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

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

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

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-4) for February 1969 are 6½ percent for U.S. bank obligations and 7¼ percent for foreign bank obligations. Commodities now eligible for financing under the CCC Export Credit Sales Program include oats, wheat, wheat flour, barley, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, milled and brown rice, tobacco, cottonseed oil, soybean oil, dairy products, tallow, lard, breeding cattle, and rye. Commodities purchased from CCC may be financed for export as private stocks under Announcement GSM-4.

Information on the CCC Export Credit Sales Program and on commodities available under Title I, Public Law 480, private trade agreements, and current information on interest rates and other phases of these programs may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C. 20250.

The following commodities are currently available for new and existing barter contracts: Oats, cotton (upland and extra long staple), and tobacco. In addition, private stocks of corn, grain sorghum, barley (other than malting barley), oats, wheat, and wheat

The applicant desires the land for administrative site purposes.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 2120 Capitol Avenue, Cheyenne, Wyo. 82001.

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

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

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 19 N., R. 105 W.,  
Sec. 14, lot 5.

The area described contains 41.78 acres.

A. L. SIMPSON,  
Acting State Director.

[F.R. Doc. 69-1507; Filed, Feb. 5, 1969; 8:46 a.m.]

**Fish and Wildlife Service**

[Docket No. B-449]

**ROBERT H. ANDERSON****Notice of Loan Application**

JANUARY 31, 1969.

Robert H. Anderson, Post Office Box 112, Port Clyde, Maine 04855, has applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 36-foot length overall fiber glass vessel to engage in the fishery for lobsters, shrimp, and groundfish.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) 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. M. PATTON,

Acting Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 69-1500; Filed, Feb. 5, 1969; 8:45 a.m.]



flour, and milled and brown rice, under Announcement PS-1, as amended; tobacco under Announcement PS-3; cottonseed oil and soybean oil under Announcement PS-2; and upland and extra long staple cotton under Announcement PS-4; are eligible for programming in connection with barter contracts covering procurement for Federal agencies that will reimburse CCC. (However, Hard Red Winter 13 percent protein or higher, Hard Red Spring 14 percent protein or higher, Durum wheats, and flour produced from these wheats may not be exported under barter through west coast ports.) Further information on private-stock commodities may be obtained from the Office of Barter and Stockpiling, Foreign Agricultural Service, USDA, Washington, D.C. 20250.

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

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

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

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

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offeror to meet contract obligations of the type contemplated in this announcement. If a prospective offeror is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an

offer only upon submission by offeror of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offeror will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

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

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

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

CCC reserves the right, before making any sales, to define or limit export areas.

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

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

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

#### SALES PRICE OR METHOD OF SALE WHEAT, BULK

##### Unrestricted use.

A. *Storable.* All classes of wheat in CCC inventory are available for sale at market price but not below 115 percent of the 1968 price-support loan rate for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

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

C. *Markup and examples (dollars per bushel in-store).<sup>1</sup>*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.14½	\$0.12	Minneapolis—No. 1 DNS (\$1.56) 115 percent +\$0.12; \$1.92. Portland—No. 1 SW (\$1.44) 115 percent +\$0.12; \$1.78. Kansas City—No. 1 HRW (\$1.44) 115 percent +\$0.12; \$1.78. Chicago—No. 1 RW (\$1.40) 115 percent +\$0.12; \$1.80.

##### Export.

A. CCC will sell limited quantities of Hard Red Winter and Hard Red Spring wheat at west coast ports at domestic market price levels for export under Announcement GR-345 (Revision IV, Oct. 30, 1967, as amended) as follows:

(1) Offers will be accepted subject to the purchasers' furnishing the Portland ASCS Branch Office with a Notice of Sale containing the same information (excluding the subsidy acceptance number) as required by exporters who wish to receive an export payment under GR-345. The Notice of Sale must be furnished to the Commodity Office within 5 calendar days after the date of purchase.

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

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

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

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

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

Available. Chicago, Kansas City, Minneapolis, and Portland ASCS offices.

#### CORN, BULK

##### Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Market price as determined by CCC, but not less than 115 percent of the applicable 1968 price-support loan rate<sup>2</sup> for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

##### B. General sales.

1. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1968 price-support rate<sup>2</sup> (published loan rate plus 19 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

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

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

See footnotes at end of document.



Markup in-store	Examples
\$0.10	Feed grain program domestic PIK certificate minimums: McLean County, Ill. (\$1.00+\$0.025) 115 percent +\$0.10; \$1.39. Agricultural Act of 1949; stat. minimums: McLean County, Ill. (\$1.00+\$0.025) +\$0.10; 105 percent +\$0.10; \$1.47.

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

**Export.** Limited quantities of corn at east coast and eastern gulf ports for cash at the market price, as determined by CCC, for export under Announcement GR-212 (Revision 2, Jan. 9, 1961). The statutory minimum price referred to in GR-212 is computed in accordance with B1 of the unrestricted use section for corn.

Available. Kansas City ASCS Commodity Office.

#### GRAIN SORGHUM, BULK

##### Unrestricted use.

A. **Redemption of domestic payment-in-kind certificates.** Market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support loan rate<sup>2</sup> for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

##### B. General sales.

1. **Storable.** Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1968 price-support rate<sup>2</sup> (published loan rate plus 34 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

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

C. **Markups and examples (dollars per hundredweight in-store<sup>1</sup> No. 2 or better).**

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.75	\$0.125	Feed grain program domestic PIK certificate minimums: Hale County, Tex. (\$1.63) 115 percent +\$0.125; \$2.05. Kansas City, Mo. (\$1.81) 115 percent +\$0.125; \$2.21. Agricultural Act of 1949; stat. minimums: Hale County, Tex. (\$1.63+\$0.34) 105 percent +\$0.14; \$2.24. Kansas City, Mo. (\$1.81+\$0.34) 105 percent +\$0.125; \$2.365.

##### Export.

Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section C. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 108 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcement:

See footnotes at end of document.

A. **Announcement GR-212 (Revision 2, Jan. 9, 1961)** for cash or other designated sales.

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

#### BARLEY, BULK

##### Unrestricted use.

A. **Storable.** Market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support rate<sup>2</sup> for the class, grade, and quality of the barley plus the applicable markup.

B. **Markups and examples (dollars per bushel in-store<sup>1</sup> No. 2 or better).**

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.45	\$0.12	Cass County, N. Dak. (\$0.80) 115 percent +\$0.45; \$1.15. Minneapolis, Minn. (\$1.10) 115 percent +\$0.12; \$1.39.

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

##### Export.

Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for barley. Sales will be made pursuant to the following announcement:

A. **Announcement GR-212 (Revision 2, Jan. 9, 1961)** for cash or other designated sales.

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

#### OATS, BULK

##### Unrestricted use.

A. **Storable.** Market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support rate<sup>2</sup> for the class, grade, and quality of the oats plus the markup shown in B below.

B. **Markup and example (dollars per bushel in-store<sup>1</sup> Basis No. 2 XHWO).**

Markup in-store	Example
\$0.145	Redwood County, Minn. (\$0.60+\$0.03 quality differential); 115 percent +\$0.145; \$0.875.

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

**Export.** Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcement:

A. **Announcement GR-212 (Revision 2, Jan. 9, 1961)**, for application to barter contracts and for cash or other designated sales.

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

#### RYE, BULK

##### Unrestricted use.

A. **Storable.** Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 115 percent<sup>2</sup> of the applicable 1968 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. **Markups and examples (dollars per bushel in-store<sup>1</sup> No. 2 or better).**

Markup in-store received by—		Examples—Agricultural Act of 1949: Stat. minimum
Truck	Rail or barge	
\$0.145	\$0.12	Rollete County, N. Dak. (\$0.80) 115 percent +\$0.145; \$1.175. Minneapolis, Minn. (\$1.23) 115 percent +\$0.12; \$1.54.

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

##### Export.

Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcement:

A. **Announcement GR-212 (Revision 2, Jan. 9, 1961)** for cash or other designated sales.

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

#### RICE, ROUGH

##### Unrestricted use.

Market price but not less than 1968 loan rate plus 5 percent plus 31 cents per hundredweight, basis in store.

##### Export.

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

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

#### COTTON, UPLAND

##### Unrestricted use.

A. **Competitive offers under the terms and conditions of Announcement NO-C-32 (Sale of Upland Cotton for Unrestricted Use).** Under this announcement, upland cotton acquired under price-support programs will be sold at the highest price offered but in no event at less than the higher of (a) 110 percent of the 1968 loan rate for such cotton, or (b) the market price for such cotton, as determined by CCC.

B. **Competitive offers under the terms and conditions of Announcement NO-C-31 (Disposition of Upland Cotton—In Redemption of Payment-in-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Short-fall," and Under Barter Transactions), as amended.** Cotton may be acquired at its current market price, as determined by CCC, but not less than a minimum price determined by CCC, which will in no event be less than 120 points (12 cents) per pound above the 1968 loan rate for such cotton.

##### Export.

CCC disposals for barter. Competitive offers under the terms and conditions of Announcements CN-EX-28 (Acquisition of Upland Cotton for Export Under the Barter Program).



and NO-C-31, as amended, at the prices described in the preceding paragraph B.

#### COTTON, EXTRA LONG STAPLE

##### Unrestricted use.

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

##### Export.

CCC disposals for barter. Competitive offers under the terms and conditions of Announcement CN-EX-29 (Acquisition of American-Egyptian Cotton for Export Under the Barter Program), and NO-C-6 (Revised), as amended, at not less than the market price, as determined by CCC.

#### COTTON, UPLAND OR EXTRA LONG STAPLE

##### Unrestricted use.

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

##### Availability information.

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

#### PEANUTS, SHELLED OR FARMERS STOCK

##### Restricted use sales.

When stocks are available in their area of responsibility, the quantity, type, and grade offered are announced in weekly lot lists or invitations to bid issued by the following:

GFA Peanut Association, Camilla, Ga.  
Peanut Growers Cooperative Marketing Association, Franklin, Va.  
Southwestern Peanut Growers' Association, Gorman, Tex.

Terms and conditions of sale are set forth in Announcement PR-1 of July 1, 1966, as amended, and the applicable lot list.

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

2. Farmers stock: Segregation 1 may be purchased and milled to produce U.S. No. 1 or better grade shelled peanuts which may be exported. The balance of the kernels including any graded peanuts not exported must be crushed domestically. Segregation 2 and 3 peanuts may be purchased for domestic crushing only.

Sales are made on the basis of competitive bids each Wednesday by the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250, to which all bids must be sent.

#### TUNG OIL

##### Unrestricted use.

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

The quantity offered and the date bids are to be received are announced to the trade in notices of Invitations to Bid, issued by the

See footnotes at end of document.

National Tung Oil Marketing Cooperative, Inc., Poplarville, Miss. 39470.

Terms and conditions of sale are as set forth in Announcement NTOM-PR-4 of April 6, 1967, as amended, and the applicable Invitation to Bid.

Bids will include, and be evaluated on the basis of, price offered per pound f.o.b. storage location. For certain destinations, CCC will as provided in the Announcement, as amended, refund to the buyer a "freight equalization" allowance.

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

#### FLAXSEED, BULK

##### Unrestricted use.

A. Storable. Market price, as determined by CCC, but not less than 105 percent of the applicable 1968 price-support rate<sup>2</sup> for the grade and quality of the flaxseed plus the applicable markup.

B. Markups and example (dollars per bushel in-store No. 1, 9.1-9.5 percent moisture).

Markup per bushel received by—		Example of minimum prices—terminal and price
Truck	Rail or barge	
\$0.13 <sup>1</sup>	\$0.09 <sup>1</sup>	Minneapolis, Minn. (\$3.16) 105 percent + \$0.09 <sup>1</sup> ; \$3.41 <sup>1</sup> .

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

Available. Through the Minneapolis ASCS Branch Office.

#### DAIRY PRODUCTS

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

##### Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

#### NONFAT DRY MILK

##### Unrestricted use.

Announced prices, under MP-14: Spray process, U.S. Extra Grade, 25.40 cents per pound packed in 100-pound bags and 25.65 cents per pound packed in 50-pound bags.

##### Export.

Announced prices, under MP-23, pursuant to invitations issued by Minneapolis ASCS Commodity Office. Invitations will indicate the type of export sales authorized, the announced price and the period of time such price will be in effect.

#### BUTTER

##### Unrestricted use.

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

#### CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

##### Unrestricted use.

Announced prices, under MP-14: 52.750 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 51.750 cents per pound.

#### FOOTNOTES

<sup>1</sup> The formula price delivery basis for bin-site sales will be f.o.b.

<sup>2</sup> Round product up to the nearest cent.

#### USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

##### GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway (Post Office Box 205), Kansas City, Mo. 64141. Telephone: Area Code 816, Emerson 1-0880.

Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming (domestic and export). California (domestic only). Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia (export only).

Branch Office—Chicago ASCS Branch Office, 226 West Jackson Boulevard, Chicago, Ill. 60606. Telephone: Area Code 312, 353-6581.

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

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn. 55415. Telephone: Area Code 612, 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin (domestic and export).

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Ore. 97205. Telephone: Area Code 503, 228-3361.

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

##### PROCESSED COMMODITIES OFFICE (ALL STATES)

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

##### COTTON OFFICE (ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La. 70112. Telephone: Area Code 504, 527-7766.

##### GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reiding, Federal Building, Room 1759, 26 Federal Plaza, New York, N.Y. 10007. Telephone: Area Code 212, 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif. 94111. Telephone: Area Code 415, 556-6185.

##### ASCS STATE OFFICES

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

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

Iowa, Room 937, Federal Building, 210 Walnut Street, Des Moines, Iowa 50309. Telephone: Area Code 515, 284-4213.

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

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

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



ASCS STATE OFFICES—Continued  
Minnesota, Room 230, Federal Building and  
U.S. Courthouse, 316 Robert Street, St.  
Paul, Minn. 55101. Telephone: Area Code  
612, 228-7651.

Montana, Post Office Box 670, U.S.P.O. and  
Federal Office Building, Bozeman, Mont.  
59715. Telephone: Area Code 406, 587-4511,  
Ext. 3271.

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

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

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

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

Wisconsin, Post Office Box 4248, 4601 Ham-  
mersley Road, Madison, Wis. 53711. Tele-  
phone: Area Code 608, 254-4441, Ext. 7635.

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

Signed at Washington, D.C., on  
January 30, 1969.

LIONEL C. HOLM,  
Acting Executive Vice President,  
Commodity Credit Corporation.

[P.R. Doc. 69-1542; Filed, Feb. 5, 1969;  
8:49 a.m.]

## Office of the Secretary

### CALIFORNIA

#### Designation of Areas for Emergency Loans

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

#### CALIFORNIA

Inyo.	San Bernardino.
Los Angeles.	San Luis Obispo.
Monterey.	Santa Barbara.
Riverside.	Ventura.

Pursuant to the authority set forth  
above, emergency loans will not be made  
in the above-named counties after June  
30, 1969, except to applicants who previ-  
ously received emergency or special live-  
stock loan assistance and who can  
qualify under established policies and  
procedures.

Done at Washington, D.C., this 28th  
day of January 1969.

CLIFFORD M. HARDIN,  
Secretary of Agriculture.

[P.R. Doc. 69-1545; Filed, Feb. 5, 1969;  
8:49 a.m.]

## DEPARTMENT OF COMMERCE

### Business and Defense Services Administration

#### ADLER PLANETARIUM OF CHICAGO PARK DISTRICT

#### Notice of Application for Duty-Free Entry of Scientific Articles

The following are notices of the re-  
ceipt 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 pur-  
poses 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,  
Scientific Instrument Evaluation Divi-  
sion, Business and Defense Services Ad-  
ministration, Washington, D.C. 20230,  
within 20 calendar days after date on  
which this notice of application is pub-  
lished 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 Scientific Instrument Evaluation  
Division, Department of Commerce,  
Washington, D.C.

A copy of each comment filed with the  
Director of the Scientific Instrument  
Evaluation Division must also be mailed  
or delivered to the applicant, or its  
authorized agent, if any, to whose ap-  
plication the comment pertains, and  
mailed or delivered to the applicant.

Docket No. 69-00383-16-61800. Appli-  
cant: The Adler Planetarium of The  
Chicago Park District, 425 East 14th  
Boulevard, Chicago, Ill. 60605. Article:  
Planetarium Projector, Zeiss Model VI.  
Manufacturer: Carl Zeiss, West Ger-  
many. Intended use of article: The  
article will be used as a replacement of  
original equipment installed in 1929 for  
series lecture programs in the 68-foot  
dome of the planetarium presented for  
the general public; for elementary,  
junior high school, high school, and col-  
lege special lectures; for courses in adult  
education; for career-oriented lectures  
for young people; for specialized lectures  
for educational and scientific purposes.  
It is necessary that the new instrument  
be compatible with the general configu-  
ration, the wiring requirements, and ar-  
rangement of the original installation.  
Application received by Commissioner of  
Customs: January 27, 1969.

CHARLEY M. DENTON,  
Assistant Administrator for In-  
dustry Operations, Business  
and Defense Services Admin-  
istration.

[P.R. Doc. 69-1493; Filed, Feb. 5, 1969;  
8:45 a.m.]

## GEORGIA INSTITUTE OF TECHNOLOGY

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

The following is a decision on an ap-  
plication for duty-free entry of a scien-  
tific article pursuant to section 6(c) of  
the Educational, Scientific, and Cultural  
Materials Importation Act of 1966 (Pub-  
lic 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 De-  
partment of Commerce, at the Scientific  
Instrument Evaluation Division, Depart-  
ment of Commerce, Washington, D.C.

Docket No. 69-00085-01-77030. Appli-  
cant: Georgia Institute of Technology,  
225 North Avenue NW., Atlanta, Ga.  
30332. Article: Nuclear magnetic reso-  
nance spectrometer, Model JNM-4H-100.  
Manufacturer: Japan Electron Optics  
Laboratory Co., Ltd., Japan. Intended use  
of article: The article will be used for  
education of graduate students, further  
training of postdoctoral fellows, and  
fundamental research in the general  
areas of analytical, inorganic, organic,  
and physical chemistry. Comments: No  
comments have been received with re-  
spect to this application. Decision: Ap-  
plication 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: The foreign  
article provides a combined internal-ex-  
ternal lock capability, whereas the  
Varian DA 100-15 provides only the in-  
ternal lock. We are advised by the Na-  
tional Bureau of Standards (NBS) in its  
memorandum dated November 26, 1968,  
that an external lock is required to per-  
form experiments on the variable tem-  
perature studies of chemical rate pro-  
cesses, which is one of the purposes for  
which the applicant intends to use the  
foreign article. NBS further advises us  
that other experiments listed in the reply  
to Question 7 would require the superior  
stability of the internal lock. Therefore,  
the combined internal-external lock ca-  
pability possessed only by the foreign  
article is pertinent to the purposes for  
which the foreign article is intended to  
be used.

For the foregoing reasons, we find that  
the Varian DA 100-15 is not of equivalent  
scientific value to the foreign article for  
the purposes for which the foreign 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,  
Assistant Administrator for In-  
dustry Operations, Business  
and Defense Services Admin-  
istration.

[P.R. Doc. 69-1494; Filed, Feb. 5, 1969;  
8:45 a.m.]



## OHIO STATE UNIVERSITY

## 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00090-87-07700. Applicant: The Ohio State University, 190 North Oval Drive, Columbus, Ohio 43210. Article: Aerial survey wide angle camera, Model RMK-AR 15/23. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used in connection with education in the field of Geodetic Science. It is intended to be used in the instruction of senior undergraduate and graduate students in advanced photogrammetry. This would include class work, laboratory work and graduate research connected with M. Sc. theses and Ph. D. dissertations. It is considered that the acquisition of this type of camera is essential to provide the students with a means of investigating integrated 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: The foreign article is a wide angle reseau camera for aerial survey use and subsequent teaching of advanced photogrammetry involving investigation of the accuracy aspects of systems of photogrammetric techniques. We are advised by the National Bureau of Standards (NBS) in a memorandum dated October 25, 1968, that there are no domestically manufactured reseau type survey cameras.

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,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1495; Filed, Feb. 5, 1969; 8:45 a.m.]

## UNIVERSITY OF PITTSBURGH

## 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00027-33-46500. Applicant: University of Pittsburgh, Fifth and Bigelow Avenues, Pittsburgh, Pa. 15213. Article: Ultramicrotome, LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for studies concerning the ultrastructure of various tissues. The work necessitates exact predetermined ultrathin sectioning of tissues in a serial form. The teaching goals in microscopy will be governed by the precision of the work that can be performed by the ultramicrotome. 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 such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article provides a minimum thickness capability of 50 angstroms. The most closely comparable domestic ultramicrotome is the Model MT-2 which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 provides a minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated September 27, 1968, that the capability of the foreign article to routinely produce 50-angstrom sections is a pertinent characteristic for the purposes for which the article is intended to be used. (2) The foreign article provides a thermal advance, whereas the Sorvall Model MT-2 provides a mechanical advance. In cited memorandum, HEW advises that only the thermal advance ultramicrotomes have performed satisfactorily where long series of ultrathin and uniform sections are required. Such long series are required in studies of ultrastructures and, consequently, the thermal advance of the foreign article is a pertinent characteristic. For the foregoing reasons, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for the purposes for which the 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,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-1496; Filed, Feb. 5, 1969; 8:45 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Food and Drug Administration

## ASPIRIN-CALOMEL-AZOSULFAMIDE-SULFATHIAZOLE-SULFANILAMIDE-SULFATHIAZOLE SODIUM-POWDERED CHARCOAL

## Drugs for Veterinary Use; Drug Efficacy Study Implementation Announcement

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Stribling's Pink Eye Powder; contains 0.25 percent aspirin, 0.25 percent calomel (a mercury preparation), 2.50 percent azosulfamide, 1.0 percent sulfathiazole, 1.0 percent sulfanilamide, 20.0 percent sulfathiazole sodium, and 75.0 percent powdered charcoal; marketed by John B. Stribling & Son, 1507 South Oakes, San Angelo, Tex. 76901.

The Academy concludes that this product is not effective, that no documentation has been supplied, and that powders should not be used in the eyes. The Food and Drug Administration concurs with this evaluation.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to withdraw approval of the new-drug applications for this drug and any others of similar composition and labeling.

Prior to initiating such action, however, the Commissioner invites the holders of the new-drug applications for such drugs, and any interested person who may be adversely affected by their removal from the market, to submit any pertinent data bearing on the proposal within 30 days from the date of publication of this announcement in the Federal Register. Submissions should be addressed to the Bureau of Veterinary Medicine, Special Assistant for Drug Efficacy Study Implementation, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the drug listed above has been mailed a copy of the NAS-NRC report. Any other interested person may obtain a copy of the report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This statement is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: January 28, 1969.

HERBERT L. LEY, JR.,  
Commissioner of Food and Drugs.

[F.R. Doc. 69-1530; Filed, Feb. 5, 1969; 8:48 a.m.]



## DIZAN POWDER AND TABLETS

## Drugs for Veterinary Use; Drug Efficacy Study Implementation Announcement

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group on the following preparations marketed by Corvel, Inc., a division of Eli Lilly & Co., Post Office Box 618, Indianapolis, Ind. 46206:

1. Dizan Powder—200 milligrams of dithiazanine iodide per each 8.3 grams (a level tablespoon).

2. Dizan Tablets—10, 50, 100, and 200 milligrams of dithiazanine iodide per tablet.

The Academy concludes that these preparations are effective canine anthelmintics. The Food and Drug Administration concurs with this evaluation.

Supplemental new-drug applications are invited to revise the labeling provided in new-drug applications for this drug to limit the claims and present the conditions of use substantially as follows:

## INDICATIONS

For the removal of ascarids (*Toxocara canis*, *Toxascaris leonina*), hookworms (*Ancylostoma caninum*, *Uncinaria stenocephala*), microfilariae of *Dirofilaria immitis*, *Strongyloides* (*Strongyloides canis*, *Strongyloides stercoralis*), and whipworms (*Trichuris vulpis*) from dogs.

## DOSAGE AND ADMINISTRATION

Roundworms: 10 milligrams per pound of body weight daily for 3-5 days.

Hookworms: 10 milligrams per pound of body weight daily for 7 days.

Microfilaria: 10 milligrams per pound of body weight daily for 5-10 days.

Strongyloides: 10 milligrams per pound of body weight daily for 10-12 days.

Whipworms: 10 milligrams per pound of body weight daily for 7 days.

CAUTION: Federal law restricts this drug to sale by or on the order of a licensed veterinarian. Dithiazanine iodide is a cyanine dye that will stain fabrics.

WARNING: Keep out of the reach of children. Keep tightly closed and in a cool dry place.

This announcement is published (1) to inform the holders of new-drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles may be marketed provided they are the subject of approved new-drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of the new-drug applications which have inadequate labeling in that it differs from the labeling presented above are provided 6 months from the date of publication of this announcement in the FEDERAL REGISTER to submit revised labeling or adequate documentation in support of the labeling used.

Written comments regarding this announcement, including request for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the drugs listed above has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to those drugs or any other interested person may obtain a copy of the NAS-NRC report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 29, 1969.

HERBERT L. LEY, Jr.,

Commissioner of Food and Drugs.

[F.R. Doc. 69-1531; Filed, Feb. 5, 1969; 8:48 a.m.]

## INSECTICIDAL DRUG CONTAINING LINDANE

## Drugs for Veterinary Use; Drug Efficacy Study Implementation Announcement

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Lin-70; contains 3 percent lindane (gamma isomer of benzene hexachloride), 1 percent sulfacetamide (*N*-sulfamylacetamide), 0.25 percent, 2,2'-methylenebis(4-chlorophenol) (dichlorophene), 18 percent toluene, and 5.5 percent pine oil; marketed by Pittman-Moore, Division of The Dow Chemical Co., Research Center, Box 10, Zionsville, Ind. 46007.

The Academy concludes that this drug is effective against screwworms and other wound maggots in cattle, goats, horses, sheep, and swine. The Food and Drug Administration concurs with this evaluation.

Supplemental new-drug applications are invited to revise the labeling provided in new-drug applications for this drug to limit the claims and present the conditions of use substantially as follows:

## INDICATIONS

For control and treatment of screwworms and other wound maggots in cattle, goats, horses, sheep, and swine.

## DOSAGE AND ADMINISTRATION

Topical: Use swab or soft bristle brush and apply thoroughly to wounds, making sure it penetrates all crevices and pockets and covers all blood and exudate in the wound area. Repeat application twice a week until worm-infested wound is healed.

## PRECAUTIONS

Some strains of screwworms may develop resistance to lindane. This will be observed by lack of response to treatment.

WARNING: Do not use on newborn (very young) animals or on calves under 3 months of age. Do not use on lactating dairy animals. Do not use on dogs, cats, or other household pets.

CAUTION: Combustible liquid; do not use, pour, spill, or store near heat or flame. Keep container closed. Shake well before using. Keep out of the reach of children. Wash thoroughly after handling or using Lin-70, as it may be absorbed through the skin. Avoid prolonged breathing of vapor. If eyes are contaminated, wash immediately.

This evaluation of the drug is concerned only with its effectiveness and safety to the animal to which it is administered. It does not take into account the safety for food use of food derived from drug-treated animals. Nothing in this announcement will constitute a bar to further proceedings with respect to questions of safety of the drug or its metabolites as residues in food products derived from treated animals.

This announcement is published (1) to inform the holders of new-drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles may be marketed provided they are the subject of approved new-drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of the new-drug applications which have inadequate labeling in that it differs from the labeling presented above are provided 6 months from the date of publication of this announcement in the FEDERAL REGISTER to submit revised labeling or adequate documentation in support of the labeling used.

Written comments regarding this announcement, including request for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the subject drug has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to it or any other interested person may obtain a copy of the report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 28, 1969.

HERBERT L. LEY, Jr.,

Commissioner of Food and Drugs.

[F.R. Doc. 69-1532; Filed, Feb. 5, 1969; 8:48 a.m.]

## RINGET

## Drugs for Veterinary Use; Drug Efficacy Study Implementation Announcement

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation:



Ringet; contains 2 percent weight-to-weight 2,4,5-trichlorophenol, 3 percent weight-to-weight benzethonium chloride, and 1 percent weight-to-weight cyclomethacaine hydrochloride; marketed by Fort Dodge Laboratories, Inc., Fort Dodge, Iowa 50501.

The Academy concludes that this product is probably not effective for treatment of ringworm of the skin (the labeling does not indicate which species the product is intended for); that although the product may be effective, no data were shown regarding its use in animals; and that the product's possible toxicity for cats should be stated in its labeling. The Food and Drug Administration concurs with the conclusions of the Academy.

This announcement is published (1) to inform the holders of new-drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles to be marketed must be the subject of approved new-drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of the new-drug applications are provided 6 months from the date of publication of this announcement in the FEDERAL REGISTER to submit adequate documentation in support of the labeling used.

Written comments regarding this announcement, including request for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the drug listed above has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to that drug or any other interested person may obtain a copy of the report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 23, 1969.

HERBERT L. LEY, Jr.,  
Commissioner of Food and Drugs.

[F.R. Doc. 69-1533; Filed, Feb. 5, 1969;  
8:48 a.m.]

#### CHAS. PFIZER AND CO., INC.

##### Notice of Filing of Petition for Food Additive Carbadox

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 Chas. Pfizer and Co., Inc., Medical Research Labs., Groton, Conn. 06340, proposing the issuance of a food additive regulation (21 CFR Part

121) to provide for the safe use of carbadox (methyl 3-(2-quinoxalinylmethyl-ene)carbazate-N,N'-dioxide) in swine feed as follows: 0.0011-0.0055 percent (10-50 grams per ton of feed) for improvement of weight gains and feed efficiency in the presence of subclinical stress; and 0.0055 percent (50 grams per ton of feed) for prevention and control of swine dysentery (so-called vibronic dysentery, bloody scours, or hemorrhagic dysentery) and prevention of bacterial swine enteritis (salmonellosis or necrotic enteritis caused by *Salmonella choleraesuis*).

Dated: January 29, 1969.

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

[F.R. Doc. 69-1534; Filed, Feb. 5, 1969;  
8:48 a.m.]

#### NORWICH PHARMACAL CO.

##### Notice of Filing of Petition for Food Additive Buquinolate

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 The Norwich Pharmacal Co., Post Office Box 191, Norwich, N.Y. 13815, proposing that the food additive regulation for buquinolate (21 CFR 121.291) be amended by deleting the 24-hour withdrawal period now required and that tolerances be established (21 CFR 121.1002) for residues of buquinolate in edible tissues of chickens as follows: 0.5 part per million in liver; 0.3 part per million in kidney and skin with fat; and 0.1 part per million in muscle.

Dated: January 29, 1969.

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

[F.R. Doc. 69-1535; Filed, Feb. 5, 1969;  
8:48 a.m.]

#### ATOMIC ENERGY COMMISSION

[Docket No. 50-231]

##### GENERAL ELECTRIC CO. AND SOUTH-WEST ATOMIC ENERGY ASSOCIATES

##### Order of Extension of Completion Date

General Electric Co. having filed a request for extension of the latest completion date specified in Provisional Construction Permit No. CFP-17 for the 20 megawatt thermal plutonia-uranium fueled, fast-spectrum, sodium-cooled, experimental reactor located in Cove Creek Township, Washington County, Ark., and good cause having been shown for extension of said date pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and § 50.55 of the Commission's regulations:

It is hereby ordered that the latest completion date is extended to April 30, 1969.

Date of issuance: January 29, 1969.

For the Atomic Energy Commission.

PETER A. MORRIS,  
Director,

Division of Reactor Licensing.

[F.R. Doc. 69-1492; Filed, Feb. 5, 1969;  
8:45 a.m.]

#### CIVIL AERONAUTICS BOARD

[Docket No. 20674]

##### AEROVIAS NACIONALES DE COLOMBIA, S.A. (AVIANCA)

##### Notice of Prehearing Conference

Application for an amendment to its present foreign air carrier permit authorizing it to engage in foreign air transportation with respect to persons, property and mail as follows: (a) Between a point or points in Colombia, the intermediate points Panama City, Panama, and Mexico City, Mexico, and the terminal point Los Angeles or San Francisco, Calif., and return. (b) Charter trips in foreign air transportation subject to the terms, conditions, and limitations prescribed by Part 212 of the Board's Economic Regulations.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on February 12, 1969, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Robert L. Park.

Dated at Washington, D.C., January 31, 1969.

[SEAL] THOMAS L. WRENN,  
Chief Examiner.

[F.R. Doc. 69-1536; Filed, Feb. 5, 1969;  
8:48 a.m.]

[Docket No. 20665; Order 69-2-9]

##### HUGHES TOOL CO. AND AIR WEST, INC.

##### Order on Motion for Expedited Hearing

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of February 1969.

By joint application filed January 17, 1969, Hughes Tool Co. (Toolco) and Air West, Inc. (Air West), seek Board approval of the purchase by Toolco of the business and all assets of Air West, and the transfer to Toolco of the certificates of Air West for Routes 76 and 76-F. Applicants further seek expedited action and prompt approval of their application, alleging an urgent requirement for expedition if the arrangement is to be consummated and Air West is to continue operations. Specifically, it is alleged, inter alia, that following inauguration of its merged carrier schedules on



July 1, 1968,<sup>1</sup> Air West sustained operating losses in the third quarter of 1968 which substantially exceeded its losses for prior periods, and its estimated losses for the final quarter of 1968 and projected losses for the first quarter of 1969 are even greater;<sup>2</sup> that such operating losses have created a serious current cash position which, prior to December 31, 1968, resulted in major defaults in its obligations;<sup>3</sup> and that Air West's financial situation is rapidly deteriorating, and its prospects for continuation of operations are not bright and are dependent upon the cooperation of its creditors.<sup>4</sup>

Air West states its belief that but for the prospect that it will soon have the resources of Toolco available to it, it might well have to discontinue operations before the close of the current month. However, it is emphasized that the prospect that Toolco will come to the rescue of Air West will diminish with the passage of time and continued losses; that the contract specifically provides for the withdrawal of Toolco if the company's net worth should decline to below 75 percent of its net worth as of July 31, 1968; and that the company is already perilously close to or below that requirement. Moreover, it is pointed out that while there are provisions in the purchase contract for interim financing by Toolco, the obligation applies only to defaults occurring after January 1, 1969, and that there are not, as of December 31, 1968, adequate resources to cover defaults prior to that date.

On January 22, 1969, the applicants filed a motion for expedited hearing and determination. The motion proposes issuance of a Board order: (a) Setting the matter for hearing 20 days from publication of the order in the FEDERAL REGISTER; (b) defining the issues to be heard; (c) requiring all parties, including applicants, to intervene within 10 days of such publication, and to file affidavits specifying the evidence they

desire to submit in support of their positions; and (d) providing that the Board will hear the matter en banc, or alternatively that the examiner certify the record to the Board for decision.

The Board normally gives prompt consideration to proposals for mergers or acquisitions in light of the burdens on corporate management, as well as the stockholders, of the uncertainties during the pendency of the Board's proceedings. The present application in addition contains serious allegations of financial distress which, it is alleged, may in the absence of expedited treatment constitute a severe threat to the continued operations of Air West. Accordingly, the procedures for hearing this application will be expedited to the maximum extent consistent with the development of the record and preservation of the rights of all interested parties.

We question whether the procedures proposed by applicants would be appropriate in light of the present status of the proceeding. The issues have not been framed; the positions of potential intervening parties are not known; and the applicants have not furnished any evidentiary material, nor have they indicated the nature of the evidence which will be produced in support of their application. Under these circumstances we do not believe that dispensing with a prehearing conference, and proceeding directly to a hearing under the novel procedures proposed would be a fruitful means of expedition. On the contrary, adoption of such procedures might result in additional delay stemming from recesses in the hearing to permit collection of necessary evidence, or procedural motions made to preserve the rights of interested parties. Our failure to adopt applicants' proposed procedures shall, however, be without prejudice to renewal of such requests as may be appropriate in light of future developments.

In our view expedition can best be accomplished by promptly holding a prehearing conference<sup>5</sup> and requiring intervening parties to set forth their positions in advance thereof. Accordingly, we shall assign this matter for a prehearing conference to be held on February 17, 1969. We shall, in addition, require: (1) That any interested person who wishes to intervene in this proceeding file a petition for intervention on or before February 12, 1969; and (2) that such petition contain a detailed statement of the position of the filing party including any conditions which may be proposed in the event of approval. At the prehearing conference the examiner will be in a position to determine the nature of further procedures in the light of the positions of all interested parties, and the nature of the evidence that will

be required for the development of an adequate record on all relevant issues.

The Board wishes to emphasize that expedition of the hearing in this proceeding will be largely dependent upon applicants being prepared to file at, or very promptly after, the prehearing conference appropriate evidentiary material which may be required. In this connection, we will expect applicants to be prepared to furnish not only the basic evidentiary material normally required in a proceeding of this nature, but also evidentiary material responsive to matters peculiar to the circumstances of this case which may be at issue in the hearing, and which are best known to applicants themselves. In order to provide the applicant with some guidelines as to the nature of evidentiary material that may be required, we shall direct the Bureau of Operating Rights to serve a request for evidence upon applicants within five (5) working days from the date of this order.

Accordingly, it is ordered:

1. That a prehearing conference on the application herein is assigned to be held on February 17, 1969, at a time and place and before an examiner to be hereafter designated.

2. That notwithstanding the provisions of § 302.15(c) of the Board's Procedural Regulations, any person desiring to formally intervene as a party in this proceeding shall file and serve a petition for intervention meeting the requirements set forth below on or before February 12, 1969.

3. That a petition for intervention filed in accordance with paragraph 2 hereof shall, in addition to the usual requirements, include a detailed statement of the position of the party including any conditions that may be proposed in the event of approval.

4. That the Bureau of Operating Rights shall within five (5) working days after the date of this order serve a request for evidence upon applicants.

5. That except to the extent granted herein, the motion of applicants for expedited hearing and determination be, and it hereby is, denied without prejudice.

6. A copy of this order shall be served upon the applicants, each air carrier holding a certificate of public convenience and necessity authorizing individually ticketed or waybilled air transportation; the Departments of Justice, Transportation, State, Defense, Post Office, and Interior; the chief executives of all cities and States served by Air West; any Commission or Agency of such States having jurisdiction of transportation by air; all labor organizations representing employees of Air West; and the parties in Docket 20494.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-1537; Filed, Feb. 5, 1969; 8:49 a.m.]

<sup>1</sup> Air West is the surviving carrier of the merger of Bonanza, Pacific and West Coast Airlines. See Orders E-26665, Apr. 17, 1968; E-26625, E-26626, Feb. 23, 1968.

<sup>2</sup> The application sets forth the actual, estimated and projected losses for various quarterly periods in 1968-1969 as: First quarter 1968—\$1,093,000; second quarter 1968—\$185,000; third quarter 1968—\$2,494,000; fourth quarter 1968—\$4,424,000; first quarter 1969—\$4,416,000.

<sup>3</sup> It is stated that as of Dec. 31, 1968, Air West owed \$3,662,000 in accounts due and payable which it was unable to honor because of lack of available cash.

<sup>4</sup> It is specifically noted that on Sept. 19, 1968, the Bank of America advised the company that it was in default on a loan agreement designed to provide \$46 million to finance the acquisition of flight equipment plus an \$8 million revolving credit for working capital, and that since that time the Bank has refused to advance additional funds under the loan agreement. Moreover, the current net working capital, net worth, and debt/equity ratio of the company are not sufficient to meet the requirements under this bank loan.

<sup>5</sup> On Jan. 31, 1969, Western Air Lines, Inc., filed an answer to the joint motion, stating that while Western did not oppose expedition, the establishment of appropriate hearing procedures should await the prehearing conference.



[Docket No. 17828; Order 69-1-146]

# INTERNATIONAL AIR TRANSPORT ASSOCIATION

## Order Regarding Delayed Inaugural Flights

Issued under delegated authority on January 31, 1969.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1-2 of the International Air Transport Association (IATA), and adopted by mail votes. The agreements have been assigned the above-designated CAB agreement numbers.

The agreements (1) permit Pan American World Airways to postpone to a date not later than April 30, 1969, the performance of its inaugural flights in connection with its new service between New York and Stockholm, via Copenhagen, and (2) permit Air-India to postpone to a date not later than March 31, 1969, the performance of its second inaugural flight between Kuwait and New York.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that Resolutions JT12 (Mail 573) 200h and JT12 (Mail 574) 200h, which are incorporated in the above-designated agreements, are adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Agreements CAB 20783 and 20784 are approved.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 69-1538; Filed, Feb. 5, 1969;  
8:49 a.m.]

[Docket No. 20655]

# LUFTVERKEHRSUNTERNEHMEN ATLANTIS G.m.b.H.

## Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled ap-

plication is assigned to be held on February 10, 1968, at 10 a.m., e.s.t., in Room 630, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., January 31, 1969.

[SEAL]

THOMAS L. WRENN,  
Chief Examiner.

[P.R. Doc. 69-1539; Filed, Feb. 5, 1969;  
8:49 a.m.]

[Docket No. 20693; Order 69-2-10]

## WTC AIR FREIGHT

### Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of February 1969.

By tariff revision<sup>1</sup> filed January 2, 1969, and marked to become effective February 5, 1969, WTC Air Freight (WTC), an air freight forwarder, proposes to increase its excess valuation rates for parcel post traffic. This traffic consists of air freight shipments affixed with U.S. postage by the forwarder and consigned to a post office within the corporate limits of the destination point for movement beyond by postal service. The current excess valuation charge is \$0.15 per \$100 by which the declared shipment value exceeds \$0.50 per pound or \$50, whichever is higher. The proposed charges would range from \$0.20 per shipment with declared values up to \$15 of excess valuation to \$2 for each \$100 of excess valuation above \$200 or fraction thereof.

WTC asserts that its increased rates are warranted by the high "claim exposure" of parcel post traffic due to the small size of the packages handled, the valuable commodities included, and the fact that the Post Office will not provide receipts except at a high cost. WTC also states that excess valuation charges now in effect for certain other commodities are \$2 per \$100 of excess valuation.

Upon consideration of all relevant matters, the Board finds that the proposed rates may be unjust, unreasonable, unjustly discriminatory, unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be suspended pending investigation.

WTC's proposal involves raising excess valuation charges on parcel post traffic by up to 13-fold. Although the forwarder claims that parcel post traffic is especially susceptible to theft, WTC does not present any factual data indicating the actual extent of loss for that type of traffic and whether the proposed rates would be reasonable in the light of ex-

<sup>1</sup> Revision to WTC Air Freight's tariff CAB No. 7.

perienced claim costs. Consequently, since the sharply increased rates have not been justified, we shall suspend them pending investigation.<sup>2</sup>

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof:

It is ordered, That:

1. An investigation be instituted to determine whether the provisions and charges in Exception 4 of Rule No. 35(b) on 12th and 13th Revised Pages 10 of WTC Air Freight's CAB No. 7, and rules, regulations, and practices affecting such provisions and charges, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions and charges, and rules, regulations, or practices affecting such provisions and charges;

2. Pending hearing and decision by the Board, the provisions and charges in exception 4 of Rule No. 35(b) on 12th and 13th Revised Pages 10 of WTC Air Freight's CAB No. 7 are suspended and their use deferred to and including May 5, 1969, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariffs and served upon WTC Air Freight, which is hereby made a party to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 69-1540; Filed, Feb. 5, 1969;  
8:49 a.m.]

<sup>2</sup> Cf., "Increased valuation and c.o.d. charges proposed by Railway Express Agency, Inc.," 27 CAB 542 (1958). The Board after investigation found REA's proposed increases in excess valuation and c.o.d. charges unjust and unreasonable chiefly on the ground that REA had failed to sustain the burden of coming forward with evidence to show what the increased costs of such services are. In similar actions, the Board suspended, pending investigation, (1) increased excess valuation charges proposed by REA (Order E-13820, May 1, 1959); (2) revision to its liability rule for parcel post shipments proposed in 1965 by WTC involving, inter alia, a sliding scale of excess valuation charges reaching a level of \$5 per \$1,000, a lower rate than herein proposed (Order E-22846, Nov. 4, 1965); and (3) increased excess valuation charges proposed by Bekins Airvan Co. of \$1.50 per \$100 (Order E-23746, May 27, 1966).



## FEDERAL MARITIME COMMISSION

### ATLANTIC PASSENGER STEAMSHIP CONFERENCE

#### Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the *Federal Register*. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. R. M. L. Duffy, Secretary General, Atlantic Passenger Steamship Conference, 139 Sandgate Road, Folkestone, Kent, England.

Agreement No. 7840-75 of the Atlantic Passenger Steamship Conference provides for the modification of Agreement 7840, as amended, to increase the contribution of each line to the working capital account from 300 British Pounds to 450 British Pounds.

Dated: February 3, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-1547; Filed, Feb. 5, 1969; 8:49 a.m.]

## FEDERAL RESERVE SYSTEM

### AMERICAN BANCORPORATION, INC. Order Approving Application Under Bank Holding Company Act

In the matter of the application of American Bancorporation, Inc., Columbus, Ohio, for approval of action to become a bank holding company through the acquisition of 95 percent or more of the voting shares of The Harpster Bank, Harpster, Ohio.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), and § 222.3 (a) of the Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by American Bancorporation, Inc., Columbus, Ohio, for the Board's prior approval of action whereby Applicant, which pres-

ently owns a majority of the voting shares of The Adelphi National Bank, Adelphi, Ohio, would become a bank holding company through the acquisition of 95 percent or more of the voting shares of The Harpster Bank, Harpster, Ohio.

The application, originally filed in September 1967, was placed in suspense at Applicant's request in order to permit amendment of the proposal, and was reactivated in November 1968. As required by section 3(b) of the Act, the Board gave written notice of receipt of the application and subsequently filed amendments to the Superintendent of Banks for the State of Ohio, and requested his views and recommendations thereon. The Superintendent indicated that he could not recommend either approval or disapproval of the application based upon his limited experience with Applicant.

Notice of receipt of the application was published in the *Federal Register* on October 3, 1967 (32 F.R. 13790), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application and subsequently filed amendments was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement<sup>1</sup> of this date, that said application be and hereby is approved: *Provided*, That the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order, or (b) later than 3 months after the date of the order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

Dated at Washington, D.C., this 29th day of January 1969.

By order of the Board of Governors.  
[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-1497; Filed, Feb. 5, 1969; 8:45 a.m.]

### BARNETT NATIONAL SECURITIES CORP.

#### Order Approving Application Under Bank Holding Company Act

In the matter of the application of Barnett National Securities Corp., Jacksonville, Fla., for approval of acquisition of 80 percent or more of the voting shares of The Tallahassee Bank and Trust Co., Tallahassee, Fla.

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Cleveland.

<sup>2</sup> Voting for this action: Chairman Martin and Governors Robertson, Daane, Malsel, Brimmer, and Sherrill. Absent and not voting: Governor Mitchell.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Barnett National Securities Corp., Jacksonville, Fla., a registered bank holding company, for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of The Tallahassee Bank and Trust Co., Tallahassee, Fla.

As required by section 3(b) of the Act, the Board notified the Florida Commissioner of Banking of the application and requested his views and recommendation. The Commissioner recommended approval of the application.

Notice of receipt of the application was published in the *Federal Register* on October 23, 1968 (33 F.R. 15685), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement<sup>1</sup> of this date, that said application be and hereby is approved: *Provided*, That the application so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

Dated at Washington, D.C., this 30th day of January 1969.

By order of the Board of Governors.<sup>2</sup>

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-1498; Filed, Feb. 5, 1969; 8:45 a.m.]

## GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.; Temporary Reg. F-40]

### SECRETARY OF DEFENSE

#### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in a natural gas service rate proceeding.

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.

<sup>2</sup> Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Malsel, and Sherrill. Absent and not voting: Governor Brimmer.



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, et seq., as amended, particularly sections 201(a)(4) and 205 (d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the Public Utilities Commission of the State of California in a proceeding involving natural gas service rates of Pacific Gas and Electric Co. (California PUC Application No. 50779).

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: January 31, 1969.

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

[F.R. Doc. 69-1499; Filed, Feb. 5, 1969;  
8:45 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

### CONTINENTAL VENDING MACHINE CORP.

#### Order Suspending Trading

JANUARY 31, 1969.

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

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 1, 1969, through February 10, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1508; Filed, Feb. 5, 1969;  
8:46 a.m.]

[812-2409]

### FUNDAMENTAL INVESTORS, INC.

#### Notice of Filing of Application for Order Exempting From Sale by Open-End Company of Shares at Other Than Public Offering Price

JANUARY 31, 1969.

Notice is hereby given that Fundamental Investors, Inc. ("Applicant"), Westminister at Parker, Elizabeth, N.J. 07207, a Delaware Corporation registered under the Investment Company Act of 1940, ("Act") as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act for an order exempting from the provisions of section 22(d) of the Act a transaction in which Applicant's redeemable securities will be issued at a price other than the current public offering price in exchange for substantially all of the assets of Pitmel, Inc. ("Pitmel"). All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations which are summarized below.

Pitmel, a Pennsylvania Corporation, is a personal holding company all of whose outstanding stock is owned by 95 stockholders. Pitmel is exempt from registration under the Act by reason of the provisions of section 3(c) (1) thereof. Pursuant to an agreement between Applicant and Pitmel, assets owned by Pitmel with a value of \$1,396,203 as of September 30, 1968, will be transferred to Applicant in exchange for shares of Applicant's capital stock. Of this amount, \$1,111,811 represents the value of Pitmel's portfolio of marketable securities, all of which Applicant intends to retain in its portfolio.

The number of shares of Applicant to be issued to Pitmel is to be determined by dividing the aggregate market value (subject to certain adjustments set forth in the agreement and plan of reorganization) of the assets of Pitmel to be transferred to Applicant by the net asset value per share of Applicant (as defined in the agreement, similarly adjusted), both to be determined as of the last business day preceding the date of transfer, as defined in the agreement. The per share asset value of Applicant's stock as of September 30, 1968, was \$12.07. If the valuation in the agreement had taken place on that date, Pitmel would have received 115,675 shares of Applicant's stock. When received by Pitmel, the shares of Applicant are to be distributed to the Pitmel shareholders and Pitmel will be dissolved.

There is no affiliation or relationship between Applicant and Pitmel or between the officers, directors, and shareholders of Pitmel and the officers and directors of Applicant. The agreement was negotiated at arms-length by the two companies.

Section 22(d) of the Act provides that registered investment companies issuing redeemable securities may sell their shares only at the current public offering price as described in the prospectus. Section 6(c) permits the Commission, upon

application, to exempt a transaction from the provisions of section 22(d) if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant submits that the granting of the application 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 because stockholders of Pitmel will receive the benefit of more experienced investment management services and Applicant will acquire additional investments without incurring brokerage costs.

Notice is further given that any interested person may, not later than February 20, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1509; Filed, Feb. 5, 1969;  
8:46 a.m.]

[70-4712]

### GULF POWER CO.

#### Notice of Proposed Issue and Sale of Bonds and Preferred Stock

JANUARY 31, 1969.

Notice is hereby given that Gulf Power Co. ("Gulf"), Post Office Box 1151, Pensacola, Fla. 32502, an electric utility subsidiary company of The Southern Co., a registered holding company, has filed a



declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Gulf proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, \$15 million principal amount of first mortgage bonds, ----- percent series due 1999. The interest rate (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Gulf (which will be not less than 99 percent nor more than 102 3/4 percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under the provisions of the indenture dated as of September 1, 1941, between Gulf and The Chase Manhattan Bank (National Association), and The Citizens & Peoples National Bank of Pensacola, as trustees, as heretofore supplemented and as to be further supplemented by a supplemental indenture to be dated March 1, 1969.

Gulf also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 50,000 shares of its authorized but unissued ----- percent preferred stock par value \$100 per share. The dividend rate (which will be a multiple of 0.04 percent) and the price to be paid to Gulf (which will be not less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding.

The net proceeds received from the issue and sale of the bonds and preferred stock will be used by Gulf (1) to finance, in part, its 1969 construction program estimated at \$28,555,000, (2) to pay outstanding short-term bank notes incurred for construction purposes, and (3) for other corporate purposes. Gulf estimates that it will not be necessary to sell any additional securities in 1969 except for short-term notes estimated to be outstanding in the amount of \$7,500,000 on December 31, 1969.

The Florida Public Service Commission has jurisdiction over the proposed issue and sale of the bonds and preferred stock by Gulf, and a copy of that commission's order authorizing the same will be filed by amendment. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses to be incurred in connection with the transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than February 20, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing

thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1510; Filed, Feb. 5, 1969; 8:46 a.m.]

#### TEXAS URANIUM CORP.

##### Order Suspending Trading

JANUARY 31, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Texas Uranium Corp., Salt Lake City, Utah, 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 sections 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 February 3, 1969, through February 12, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1511; Filed, Feb. 5, 1969; 8:46 a.m.]

#### TOP NOTCH URANIUM AND MINING CORP.

##### Order Suspending Trading

JANUARY 31, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Top Notch Uranium and Mining Corp. (a Utah Corporation), and all other securities of Top Notch Uranium and Mining Corp. 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 February 2, 1969, through February 11, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1512; Filed, Feb. 5, 1969; 8:46 a.m.]

[File No. 1-4371]

#### WESTEC CORP.

##### Order Suspending Trading

JANUARY 31, 1969.

The common stock, 10 cents par value, of Westec Corp., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Westec Corp., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 1, 1969, through February 10, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-1513; Filed, Feb. 5, 1969; 8:46 a.m.]

#### SMALL BUSINESS ADMINISTRATION

##### FIRST OPPORTUNITY INVESTMENTS, INC.

##### Notice of Application for License as Small Business Investment Corporation

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations governing Small Business Investment Companies (13 CFR Part 107; 33 F.R. 326) under the name of First Opportunity Investments, Inc. (First Opportunity), with its principal office at 1253 Delaware Avenue SW., Washington, D.C. 20024 (a District of Columbia Corporation), for a license to operate as a small business investment company under the provisions of the



Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.).

First Opportunity, which will be a wholly owned subsidiary of Educational Sciences Programs, Inc. (ESP), 229 Park Avenue South, New York, N.Y. 10003, proposes to commence operations with paid-in capital of \$152,000. First Opportunity proposes to concentrate its loans and investments toward the development of small businesses in Washington, D.C., and the surrounding area. It will not, however, limit itself to this area and will consider applications from any potential borrower. ESP, through its subsidiaries, is involved in the educational business through home study courses and the training of the hard core unemployed. ESP (a Delaware Corporation) is publicly owned by approximately 500 shareholders. Mr. Thomas C. Souran, a director of First Opportunity, is Chairman of the Board of ESP and its only 10 percent or more shareholder.

Matters involved in SBA's consideration of the application include the general business reputation of ESP, as well as the probability of the successful operation of First Opportunity as a wholly owned subsidiary of ESP, including adequate profitability and financial soundness, in accordance with the Act and regulations.

The proposed Officers and Directors of First Opportunity are as follows:

Mark Battle, 1253 Delaware Avenue SW., Washington, D.C. 20024, President and Director.

Herbert B. Max, 291 West 89th Street, New York, N.Y. 10024, Secretary.

Thomas C. Souran, 50 Broadway, New York, N.Y. 10005, Director.

Walter E. Fauntroy, 4105 17th Street NW., Washington, D.C. 20011, Director.

Edward S. Irons, 8001 Parkcrest Drive, Silver Spring, Md. 20910, Director.

James F. Tucker, Virginia State College, Petersburg, Va. 23801, Director.

Prior to final action on the application, consideration will be given to any comments pertaining thereto which are submitted in writing, to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, within a period of ten (10) days of the date of publication of this notice.

A copy of this notice shall be published in a newspaper of general circulation in Washington, D.C., and New York, N.Y.

Dated: January 24, 1969.

JAMES THOMAS PHELAN,  
Acting Associate  
Administrator for Investment.

[P.R. Doc. 69-1514; Filed, Feb. 5, 1969;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 1266]

### MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

JANUARY 31, 1969.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rules, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning

<sup>1</sup> Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

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

No. MC 1124 (Sub-No. 217), filed January 2, 1969. Applicant: HERRIN TRANSPORTATION CO., a corporation, 2301 McKinney Avenue, Houston, Tex. 77001. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except classes A and B explosives, those commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Atlanta, Ga., and junction U.S. Highways 11 and 80, from Atlanta over U.S. Highway 78 to Birmingham, Ala., thence over U.S. Highway 11 to junction U.S. Highways 11 and 80, and return over the same route, (b) over Interstate Highway 20, serving no intermediate points and serving the junction of U.S. Highways 11 and 80, as a point of joinder only in (1) (a) and (b) above, as alternate routes for operating convenience only in connection with applicant's authorized regular route operations, (2) between Atlanta, Ga., and junction U.S. Highways 29 and 80, (a) over U.S. Highway 29, and (b) over Interstate Highway 85 to junction U.S. Highway 80, serving no intermediate points and serving junction U.S. Highways 29 and 80 as a point of joinder only in (2) (a) and (b) above, as alternate routes for operating convenience only in connection with applicant's authorized regular route operations, (3) between junction U.S. Highways 80 and 31 at or near Montgomery, Ala., and junction U.S. Highways 31 and 90, (a) over U.S. Highway 31, and (b) between junction Interstate Highway 65 and U.S. Highway 90, over Interstate Highway 65, serving no intermediate points and serving the junction of U.S. Highways 80 and 31 and the junction of U.S. Highways 31 and 90 as points of joinder only in (3) (a) and (b) above, as alternate routes for operating convenience only in connection with applicant's authorized regular route operations, and (4) between junction U.S. Highway 31 and Alabama Highway 41 at or near Brewton, Ala., and junction Florida Highway 81 and U.S. Highway 90 at or near Milton, Fla., over Alabama Highway 41 to the Alabama-Florida State line, thence over Florida Highway 81 to junction U.S. Highway



90, and return over the same route, serving no intermediate points and serving junction U.S. Highway 31 and Alabama Highway 41 and junction Florida Highway 87 and U.S. Highway 90, as points of joinder only, as an alternate route for operating convenience only in connection with applicants authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 2860 (Sub-No. 51), filed January 15, 1969. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except commodities in bulk), from Westfield, N.Y., and North East, Pa., to points in Connecticut, Massachusetts, and Rhode Island, and (2) *materials and supplies* used in the operation of a food processing plant (except commodities in bulk), from points in the aforesaid destination States to Westfield, N.Y., and North East, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Philadelphia, Pa., or Washington, D.C.

No. MC 11559 (Sub-No. 1), filed January 13, 1969. Applicant: COLUMBIANA STORAGE WAREHOUSE COMPANY, a corporation, 1024 East Park Avenue, Columbiana, Ohio 44408. Applicant's representative: Robert L. George (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, and household goods as defined by the Commission), between points in Columbiana County, Ohio, on the one hand, and, on the other, those points in Pennsylvania on and west of U.S. Highway 219, those in New York on and west of U.S. Highway 62, and those in West Virginia on and north of U.S. Highway 40. NOTE: Applicant states it is presently authorized to transport the involved commodities between Columbiana, Ohio, on the one hand, and, on the other, those points sought in New York, Pennsylvania, and West Virginia, and it would request cancellation of such authority coincidental with the issuance of a certificate herein. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 13250 (Sub-No. 101), filed January 13, 1969. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, Tex. 77022. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which require the use of special equipment or special handling by reason of size or weight; and (2) *ordnance equipment, materials and supplies, and quartermaster supplies* (except household goods and commodities in bulk) between points in the United

States, restricted to traffic moving to or from Military installations or Defense Department establishments. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 14702 (Sub-No. 24), filed January 15, 1969. Applicant: OHIO FAST FREIGHT, INC., Post Office Box 808, Warren, Ohio 44482. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, glass bottles and glass jars, caps, covers, tops and stoppers for glass containers, glass bottles and glass jars, and wooden or corrugated boxes and containers*, from Zanesville, Ohio, to points in Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia, and that part of Eastern New York, east of a line extending from the shore of Lake Ontario, along New York Highway 18 to Rochester, thence along U.S. Highway 15 to Lakeville, thence along U.S. Highway 20A to Leicester, thence along U.S. Highway 36 to Mount Morris, thence along New York Highway 408 to junction with New York Highway 16 near Hinsdale, thence along New York Highway 16 to Olean and thence along New York Highway 16 to the New York-Pennsylvania State line. *Damaged or defective shipments of the above specified commodities*, from points in the above destination States to Zanesville, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 21455 (Sub-No. 15), filed January 13, 1969. Applicant: GENE MITCHELL CO., a corporation, 1106 Division Street, West Liberty, Iowa 52776. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed*, from Mendota, Ill., to points in Iowa on east of U.S. Highway 69; and (2) *feed and feed ingredients*, from Marshall, Mo., to West Branch, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 22167 (Sub-No. 25), filed January 6, 1969. Applicant: CONSOLIDATED COPPERSTATE LINES, 1220 West Washington Boulevard, Montebello, Calif. 90641. 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: *Classes A and B explosives*, between points in Arizona, New Mexico, Texas, Utah, the Louisiana Ordnance Plant at or near Doyline, La., Fort Sill and the Naval Ammunition Depot at or near Savannah-Haywood, Okla. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 23441 (Sub-No. 8), filed December 23, 1968. Applicant: LAY TRUCKING COMPANY, INC., 1312 Lake Street, La Porte, Ind. 46350. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Snow mobiles, power mowers, tractors, and parts, attachments and accessories* for the above commodities, from Port Washington, Wis., to points in the United States (except Hawaii) and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the above specified commodities, from points in the United States (except Hawaii) to Port Washington, Wis. Restriction: Part (1) above restricted to traffic originating at Port Washington, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 23793 (Sub-No. 1), filed January 6, 1969. Applicant: JOHN M. RAPP VAN LINES, INC., 537-539 Broadway, Kingston, N.Y. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, containerized, between points in Ulster, Orange, Sullivan, Delaware, Rockland, Putnam, Westchester, Dutchess, Columbia, Greene, Albany, Schenectady, and Rensselaer Counties, N.Y., and New York, N.Y., Bennington County, Vt., Berkshire County, Mass., and Richfield, Hartford, New Haven, and Fairfield Counties, Conn., restricted to shipments having a prior or subsequent movement beyond points in said territory, in containers, and further restricted to and in connection with packing, crating, and containerizing, or unpacking, uncrating, and decontainerizing. NOTE: If a hearing is deemed necessary applicant requests it be held at Albany, N.Y.

No. MC 25869 (Sub-No. 88), filed January 10, 1969. Applicant: NOLTE BROS. TRUCK LINE, INC., 4734 South 27th Street, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (a) from Denver, Colo., to points in Nebraska, Iowa, Wisconsin, Illinois, Indiana, Michigan, Kentucky, and Ohio, and (b) between Omaha, Nebr., and Denver, Colo. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 29120 (Sub-No. 104), filed January 13, 1969. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Post Office Box 769, Sioux Falls, S. Dak. 57101. Applicant's



representatives: E. J. Dwyer (same address as applicant) and Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, livestock, and commodities injurious or contaminating to other lading), (1) between Cincinnati, Ohio, and Sioux Falls, S. Dak., from Cincinnati over Interstate Highway 74 to junction Interstate Highway 74 and U.S. Highway 136, thence over Interstate Highway 74 and/or U.S. Highway 136 to junction Interstate 74 and/or U.S. Highway 136 and U.S. Highway 150, thence over Interstate Highway 74 and/or U.S. Highway 150 to junction Interstate Highway 80 and/or U.S. Highway 6, thence over Interstate Highway 80 and/or U.S. Highway 6 to junction Interstate Highway 80 and/or U.S. Highway 6 and Interstate Highway 35 and/or U.S. Highway 69, thence over Interstate Highway 35 and/or U.S. Highway 69 to junction Interstate Highway 35 and U.S. Highway 69 and Interstate Highway 35 and U.S. Highway 65, thence over Interstate Highway 35 and/or U.S. Highway 65 to Minneapolis-St. Paul and return over the same route, as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points and serving the junctions of Interstate Highway 35, Interstate Highway 90, U.S. Highway 69 and U.S. Highway 65 for the purpose of joinder only; and

(b) From Indianapolis over Interstate Highway 74 to junction Interstate Highway 74 and Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 80 and Interstate Highway 29, thence over Interstate Highway 29 to Sioux Falls and return over the same route, as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points, except as otherwise authorized and serving (a) the junction of Interstate Highway 74 and Interstate Highway 65; (b) the junction of Interstate Highway 74 and Interstate Highway 80; (c) the junction of Interstate Highway 80 and Interstate Highway 35.

(d) The junction of Interstate Highway 80 and Interstate Highway 29; and, (e) the junction of Interstate Highway 29 and Interstate Highway 90 at or near Sioux Falls for purpose of joinder only. (2) between Indianapolis, Ind., and Omaha, Nebr.; (a) from Indianapolis over Interstate Highway 74 and/or U.S. Highway 136 to junction Interstate Highway 74 and/or U.S. Highway 136 and U.S. Highway 150, thence over Interstate Highway 74 and/or U.S. Highway 150 to junction Interstate Highway 74 and/or U.S. Highway 150 and Illinois Highway 116, thence over Illinois Highway 116 to junction Illinois Highway 116 and U.S. Highway 34, thence over U.S. Highway 34 to junction U.S. Highway 34 and U.S. Highway 59, thence over U.S. Highway 59 to junction U.S. Highway 59 and Iowa Highway 92, thence over Iowa Highway 92 to junction Iowa Highway 92 and U.S. Highway 275, thence over U.S. Highway 275 to Omaha and return over the same route, as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points; and (b) from Indianapolis over Interstate Highway 74 to junction Interstate Highway 74 and Interstate Highway 80, thence over Interstate Highway 80 to Omaha and return over the same route, as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points; (3) between Indianapolis, Ind., and Minneapolis-St. Paul,

Minn.; (a) from Indianapolis over Interstate Highway 74 and/or U.S. Highway 136 to junction Interstate Highway 74 and/or U.S. Highway 136 and U.S. Highway 150, thence over Interstate Highway 74 and/or U.S. Highway 150 to junction Interstate Highway 74 and/or U.S. Highway 150 and Interstate Highway 80 and/or U.S. Highway 6, thence over Interstate Highway 80 and/or U.S. Highway 6 to junction Interstate Highway 80 and/or U.S. Highway 6 and Interstate Highway 35 and/or U.S. Highway 69, thence over Interstate Highway 35 and/or U.S. Highway 69 to junction Interstate Highway 35 and U.S. Highway 69 and Interstate Highway 35 and U.S. Highway 65, thence over Interstate Highway 35 and/or U.S. Highway 65 to Minneapolis-St. Paul and return over the same route, as an alternate route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate points and serving the junctions of Interstate Highway 35, Interstate Highway 90, U.S. Highway 69 and U.S. Highway 65 for the purpose of joinder only; and

(b) From Indianapolis over Interstate Highway 74 to junction Interstate Highway 74 and Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 80 and Interstate Highway 35, thence over Interstate Highway 35 to Minneapolis-St. Paul and return over the same route for operating convenience only in connection with carrier's authorized regular route operations, serving no intermediate routes and serving the junction of Interstate Highway 35 and Interstate Highway 90 for purpose of joinder only; (4) between Chicago, Ill., and Minneapolis-St. Paul, Minn., from Chicago over Interstate Highway 90 to junction Interstate Highway 90 and Interstate Highway 94, thence over Interstate Highway 94 to Minneapolis-St. Paul and return over the same route as an alternate route for operating convenience only, serving no intermediate points and serving Minneapolis-St. Paul for the purpose of joinder only in connection with carrier's authorized regular route operations between Chicago, Ill., and Aberdeen, and Watertown, S. Dak.; and (5) between Sioux Falls, S. Dak., and Minneapolis-St. Paul, Minn., from Sioux Falls over Interstate Highway 90 and/or U.S. Highway 16 to junction Interstate Highway 90 and/or U.S. Highway 16 and Interstate Highway 35 and/or U.S. Highway 65, thence over Interstate Highway 35 and/or U.S. Highway 65 to Minneapolis-St. Paul and return, as an alternate route for operating convenience only, serving no intermediate points and serving the junction of Interstate Highway 90 and/or U.S. Highway 16 and Interstate Highway 35 and/or U.S. Highway 65 for purpose of joinder only in connection with carrier's authorized regular route operations. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak., or Chicago, Ill.

No. MC 35045 (Sub-No. 3), filed January 16, 1969. Applicant: HORNE HEAVY

HAULING, INC., 1124 De Kalb Avenue NE., Atlanta, Ga. 30307. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from points in Chatham County, Ga., to points in Alabama, Georgia, North Carolina, South Carolina, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 42261 (Sub-No. 101), filed January 6, 1969. Applicant: LANGER TRANSPORT CORP., Route 1 and Danforth Avenue, Jersey City, N.J. 07303. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals and plastic materials*, in bulk, in tank or hopper type vehicles, from Avon Lake and Cleveland, Ohio, to points in Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, West Virginia, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 59367 (Sub-No. 64), filed January 7, 1969. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa 50501. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials* from Fort Dodge, Iowa, to points in Illinois (except Chicago and its commercial zone), and (2) *building materials and gypsum products* from Fort Dodge, Iowa, to points in Chicago, Ill., and its commercial zone. **NOTE:** Applicant states that tacking is not intended. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 60186 (Sub-No. 38), filed January 13, 1969. Applicant: NELSON FREIGHTWAYS, INC., 47 East Street, Rockville, Conn. 06066. Applicant's representative: Irving J. Raley, 1411 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, and materials and accessories used in the installation thereof*, from Deposit, N.Y., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, and returned shipments of the commodities from all destination points to Deposit, N.Y. **NOTE:** Applicant holds contract authority under MC 93421. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC 61403 (Sub-No. 190), filed January 6, 1969. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn.



37662. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fumaric acid*, in bulk, in tank vehicles, from the plantsite of Chas. Pfizer Co., Inc., at Terre Haute, Ind., to Savannah, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61403 (Sub-No. 191), filed January 15, 1969. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Diketene*, in bulk, in tank vehicles, from the plantsite of F.M.C. Corp. at or near Meadville, Pa., to Coventry, R.I. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61403 (Sub-No. 192), filed January 15, 1969. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representatives: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006, also Charles E. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barites and barytes*, in bulk, in tank or hopper type vehicles, from Cartersville, Ga., to points in Florida, Illinois, Mississippi, New Jersey, New York, Ohio, Pennsylvania, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 61825 (Sub-No. 33), filed January 16, 1969. Applicant: ROY STONE TRANSFER CORPORATION, V. C. Drive, Collinsville, Va. 24078. Applicant's representative: J. C. Wilson, Post Office Box 385, Collinsville, Va. 24078. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Containers and devices* used in shipping thereof, from Huntington, W. Va., to points in Maryland, and (2) *mineral wood and mineral wood products*, from points in Wood County, W. Va., to points in North Carolina and Virginia. NOTE: Applicant states it now holds authority to transport general commodities between points in West Virginia, on the one hand, and, on the other, points in North Carolina and Virginia by observing the gateway points of Roanoke, Va., or Lynchburg, Va., according to destination in North Carolina or Virginia. Applicant does not seek duplicating authority, other than to eliminate key gateway points described above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 67111 (Sub-No. 19), filed January 3, 1969. Applicant: KAIN'S MOTOR SERVICE CORP., West End of Bates Street, Logansport, Ind. 46947. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. 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, livestock, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the new plantsite of Essex Wire Corp. located in Whitley County, Ind., and south of U.S. Highway 30 with entrance from County Road 600E as an off-route point in connection with applicant's present regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 76032 (Sub-No. 233), filed January 10, 1969. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: William E. Kenworthy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Kentucky, Indiana, Illinois, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, and Colorado, on the one hand, and, on the other, points in Washington, California, Nevada, Utah, and Arizona. Restriction: Service performed hereunder shall be restricted to traffic moving on Government bills of lading, or on commercial bills of lading containing endorsements approved in interpretation of Government Rate Tariff-Eastern Central 332 I.C.C. 161, 164, 165. NOTE: Applicant states that tacking would occur at presently authorized service points in the States of Arizona, Colorado, or Texas to serve applicant's presently authorized service points in New Mexico. Specific tacking points could be Trinidad or Pueblo, Colo.; El Paso, Amarillo, or Lubbock, Tex.; and Phoenix, Holbrook, or Kingman, Ariz. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Denver, Colo.

No. MC 76032 (Sub-No. 234), filed January 16, 1969. Applicant: NAVAJO FREIGHT LINES, 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: *Silver bullion, dore bullion and fine silver alloys*, (1) between Cheyenne, Wyo., and junction Interstate Highways 80 and 80S near Big Springs, Nebr., over Interstate Highway 80, serving no intermediate points, and serving Cheyenne, Wyo., and junction Interstate Highways 80 and 80S for purposes of joinder only; (2) between Chicago, Ill., and Fairfield, Conn., from Chicago over Interstate Highway 90 to junction U.S. Highway 20 near Elyria, Ohio, thence over U.S. Highway 20 to junction Interstate Highway 90 at Cleveland, Ohio, thence over Interstate Highway 90 to junction Interstate Highway 91 near Chicopee, Mass., thence over Interstate Highway 91 to junction Interstate Highway 95 at New Haven, Conn., thence over

Interstate Highway 95 to Fairfield, and return over the same route, serving the intermediate and off-route points of Rochester, N.Y., Buffalo, N.Y., and Bridgeport, Conn., and serving Chicopee, Mass., for purposes of joinder only; (3) between Chicopee, Mass., and Attleboro, Mass., from Chicopee over Interstate Highway 90 to junction Massachusetts Highway 146 near Worcester, Mass., thence over Massachusetts Highway 146 to junction Interstate Highway 295 (Rhode Island Highway 116), thence over Interstate Highway 295 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction Massachusetts Highway 123, thence over Massachusetts Highway 123 to Attleboro, and return over the same route, serving no intermediate points.

(4) Between Chicago, Ill., and New York, N.Y., from Chicago over Interstate Highway 80 to junction Interstate Highway 80S near Youngstown, Ohio, thence over Interstate Highway 80S to junction Interstate Highway 76, thence over Interstate Highway 76 to junction Interstate Highway 78 (U.S. Highway 22), thence over Interstate Highway 78 (U.S. Highway 22) to New York, and return over the same route, serving the intermediate and off-route points of Newark, N.J., Carteret, N.J., and Perth Amboy, N.J.; (5) between Kansas City, Mo., and Indianapolis, Ind., from Kansas City over Interstate Highway 70 to junction Interstate Highway 270 near St. Charles, Mo., thence over Interstate Highway 270 to the junction with Interstate Highway 70, thence over Interstate Highway 70 (U.S. Highway 40) to Indianapolis, and return over the same route, serving no intermediate points; (6) serving Selby, Calif., as an off-route point in connection with carrier's regular route operations between San Francisco, Calif., and Denver, Colo.; and (7) between El Monte, Calif., and Barstow, Calif., from El Monte over Interstate Highway 10 to junction Interstate Highway 15, thence over Interstate Highway 15 to Barstow, and return over the same route, serving no intermediate points and serving Barstow for purpose of joinder only. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y., or Washington, D.C.

No. MC 76436 (Sub-No. 36), filed December 9, 1968. Applicant: SKAGGS TRANSFER, INC., 2400 Ralph Avenue, Louisville, Ky. 40216. Applicant's representative: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, articles of unusual value, commodities in bulk, commodities requiring special equipment, and classes A and B explosives), (1) between Evansville, Ind., and Hopkinsville, Ky.; from Evansville over U.S. Highway 41 to Hopkinsville, and return over the same route, serving the intermediate point of Madisonville, Ky., and serving junction U.S. Highway 41 and the Western Kentucky Turnpike for purpose of joinder



only; (2) between Princeton, Ky., and junction U.S. Highways 62 and 41; from Princeton over U.S. Highway 62 to junction U.S. Highway 41, and return over the same route, serving the intermediate point of Dawson Springs, Ky., and serving junction U.S. Highways 41 and 62 for purposes of joinder only; and (3) between Bowling Green, Ky., and Evansville, Ind.; from Bowling Green over U.S. Highway 231 to junction Indiana Highway 66, thence over Indiana Highway 66 to Yankeetown, Ind., thence over Indiana Highway 662 to Evansville, and return over the same route, serving all intermediate points in Warren County, Ky., on U.S. Highway 231. Note: Applicant presently holds authority duplicating authority sought above, in its Subs 24 and 30. By the instant application applicant seeks removal of restrictions contained in these certificates which restrict applicant from rendering service between Nashville, Tenn., and Evansville, Ind. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 79135 (Sub-No. 41), filed January 2, 1969. Applicant: COSSITT MOTOR EXPRESS, INC., 63 West Kendrick Avenue, Hamilton, N.Y. 13346. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between points in Chenango, Madison, and Otsego Counties, N.Y., on the one hand, and, on the other, New York, N.Y., and points in New Jersey within 15 miles of New York, N.Y. Note: If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

No. MC 87511 (Sub-No. 14), filed December 23, 1969. Applicant: SAIA MOTOR FREIGHT LINE, INC., Post Office Box 10157, Station 1, Houma, La. Applicant's representative: John A. Crawford, 700 Petroleum Building, Post Office Box 22567, Jackson, Miss. 39205. 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), serving the plantsite of Princeville Canning Co. located at or near Belledeau or New Belledeau, La., as an off-route point in connection with its authorized regular route operations between Baton Rouge and Shreveport, La. Note: Applicant states that if the above sought authority is not permissible, it requests the following service routes: (1) Between the plantsite of Princeville Canning Co. at or near Belledeau or New Belledeau, La., and junction Louisiana Highway 1 and U.S. Highway 71, from the plantsite of Princeville Canning Co. over Louisiana Highway 114 to junction Louisiana Highways 114 and 1, thence

over Louisiana Highway 1 to junction Louisiana Highway 1 and U.S. Highway 71, and return over the same route, serving no intermediate points; (2) between the plantsite of Princeville Canning Co. at or near Belledeau or New Belledeau, La., and junction Louisiana Highway 115 and U.S. Highway 71, from the plantsite of Princeville Canning Co. over Louisiana Highway 114 to junction Louisiana Highways 114 and 115, thence over Louisiana Highway 115 to junction U.S. Highway 71 and Louisiana Highway 115 and return over the same route, serving no intermediate points, but serving junctions of Louisiana Highways 1, 115 and U.S. Highway 71 as points of joinder only. If a hearing is deemed necessary, applicant requests it be held at Baton Rouge or New Orleans, La.

No. MC 99427 (Sub-No. 11), filed January 29, 1969. Applicant: ARIZONA TANK LINES, INC., Post Office Box 6430, Phoenix, Ariz. 85005. Applicant's representative: William J. Lippman, 1824 R Street NW., Washington, D.C. 20009. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from points in Maricopa and Pima Counties, Ariz., to points in Imperial, San Diego, Riverside, San Bernardino, Orange, and Los Angeles Counties, Calif. Note: Applicant states the authority here sought can be joined with authority now held by applicant so as to permit the performance of a through service by applicant in the transportation of petroleum products from any point in Arizona to the California counties here involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Los Angeles, Calif.

No. MC 100666 (Sub-No. 130), filed January 15, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Plywood, from the plantsite of Georgia Pacific Corp., at or near Taylorsville, Miss., to points in Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Texas, Virginia, West Virginia, Wisconsin, and Steelwood, Stockton, Mobile, Mount Vernon, Greenville, Chapman, and Selma, Ala., and Memphis, Tenn., (2) particleboard, from the plantsite of Georgia Pacific Corp., at or near Taylorsville, Miss., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. Note: Applicant states it could tack with its Sub 58 in Arkansas and serve points in North Dakota and South Dakota; with its Sub 66 at the plantsite of the

Celotex Corp. at or near Hamlin, Tex., and serve points in New Mexico; with its Sub 67 at Duke, Okla., and serve points in New Mexico and Colorado; and with its Sub 106 at Acme, Tex., and serve points in Colorado and New Mexico. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Shreveport, La.

No. MC 103993 (Sub-No. 369), filed January 8, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Buildings, building sections, panels, materials, parts and accessories, from Wheatland, Pa., to points in the United States (except Alaska and Hawaii). Note: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 103993 (Sub-No. 370), filed January 17, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trailers designed to be drawn by passenger automobiles, from Roswell, N. Mex., to points in the United States excluding Alaska and Hawaii. Note: If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex.

No. MC 103993 (Sub-No. 371), filed January 17, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani (same address as above) and Ralph H. Miller (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trailers, except those designed to be drawn by passenger automobiles, from points in Gloucester County, N.J., to points in the United States including points in Alaska and excluding points in Hawaii. Note: If a hearing is deemed necessary, applicant requests it be held at Camden, N.J., or Washington, D.C.

No. MC 105733 (Sub-No. 44), filed January 21, 1969. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Avenue, Rahway, N.J. 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: Water softening compound, dry, in bulk, from Nashua, N.H., to Port Ivory, Staten Island, N.Y., Baltimore, Md., Quincy, Mass., Augusta, Ga., Cincinnati, Ohio, and Chicago, Ill. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106398 (Sub-No. 382) (Amendment), filed December 12, 1968, published FEDERAL REGISTER issue of January 9, 1969, amended January 15, 1969, and



republished as amended this issue. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Mayes County, Okla., to points in the United States (except Alaska and Hawaii). **NOTE:** The purpose of this republication is to change the commodity description. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla.

No. MC 107012 (Sub-No. 90), filed January 21, 1969. Applicant: NORTH AMERICAN VAN LINES, INC., Post Office Box 988, Lincoln Highway East and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Martin A. Weissert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Monroe, La., to points in New Mexico, Texas, Oklahoma, Arkansas, Missouri, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, and Louisiana. **NOTE:** Applicant states, while it is possible to tack with one or more existing authorities, tacking is not contemplated by this application. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 154), filed December 27, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and plywood panels*, from Danville and Norfolk, Va., to points in Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Louisiana, Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. **NOTE:** Applicant states tacking possibilities with its present authority in MC 107295 when feasible. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 160), filed January 9, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lighting fixtures, lighting reflectors, and accessories* used in the installation thereof, from Cleveland, Ohio, to points in the United States in and east of the States of Minnesota, Iowa, Nebraska, Kansas, Oklahoma, and Texas except Arkansas, Missouri, Iowa, Wisconsin, Illinois, Kentucky, Tennessee, Michigan, Indiana, Ohio, Alaska and Hawaii. **NOTE:** Applicant states it will tack with MC

107295 where feasible. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 107295 (Sub-No. 162), filed January 10, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842 and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plasticizers, paints, borings, compounds, and rosins* (except in bulk), from Cleveland, Ohio, and Buffalo, N.Y., to points in Texas, Oklahoma, Kansas, South Dakota, North Dakota, and Minnesota. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio, or Buffalo, N.Y.

No. MC 107295 (Sub-No. 163), filed January 12, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842 also Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, tubing, and fittings*, including accessories and parts incidental to the completion, erection, and installation thereof, from Wheatland, Pa., to points in the United States (except Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Alaska and Hawaii). **NOTE:** Applicant states it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 107295 (Sub-No. 164), filed January 13, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842 and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stair treads, cove base, and floor and stair accessories, including accessories for installation thereof*, from Shelby, Ohio, to points in the United States (except points in Arkansas, Missouri, Iowa, Wisconsin, Illinois, Kentucky, Tennessee, Indiana, Ohio, Michigan, Alaska, and Hawaii). **NOTE:** Applicant indicates tacking possibilities with MC 107295 when feasible. If a hearing is deemed necessary, applicant requests it be held at Cleveland or Columbus, Ohio.

No. MC 107515 (Sub-No. 635), filed January 10, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, as described in section A and B of appendix 1 *Descriptions in Motor Carrier Certifi-*

*cates* 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles and hides), (1) from Adairville, Ky., and Madison, Tenn., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Pennsylvania, Virginia, West Virginia, and Wisconsin, and (2) from Adairville, Ky., to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Arkansas, Louisiana, Oklahoma, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Nashville, Tenn.

No. MC 107799 (Sub-No. 7), filed January 13, 1969. Applicant: J. O. RINGENBERG, INC., Jetmore, Kans. 67854. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feeds, animal feed supplements, and ingredients*, between Liberal, Kans., and points in Alabama, Arizona, Arkansas, Colorado, Georgia, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 108453 (Sub-No. 31), filed January 13, 1969. Applicant: G & A TRUCK LINE, INC., 404 West Peck Avenue, White Pigeon, Mich. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products and such commodities as are used or are useful in the production of paper and paper products*, between Middlebury, Ind., and points within 1 mile thereof, on the one hand, and, on the other, Syracuse and Horseheads, N.Y., under a continuing contract or contracts, with Weyerhaeuser Company of Tacoma, Wash. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Indianapolis, Ind.

No. MC 108473 (Sub-No. 29), filed January 8, 1969. Applicant: ST. JOHNSBURY TRUCKING COMPANY, INC., 38 Main Street, St. Johnsbury, Vt. Applicant's representative: Francis E. Barrett, 60 Adams Street, Milton, Mass. 02187. 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, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Jay, Maine, as an off-route point in connection with its regular route between Boston, Mass., and Bangor, Maine. **NOTE:** The application is accompanied by a Petition to Dismiss. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 110525 (Sub-No. 890), filed January 3, 1969. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East



Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as applicant) and Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, from Baton Rouge, La., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 111401 (Sub-No. 271), filed January 2, 1969. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from Baton Rouge, La., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 111617 (Sub-No. 5), filed January 6, 1969. Applicant: O'NEIL TRANSFER COMPANY, INC., 2215 Northwest 22d Place, Portland, Ore. 97210. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, wrapped, packed, or crated, (a) between points in Washington, on the one hand, and, on the other points in Oregon and (b) between points in Washington and Oregon on the one hand, and, on the other points in Idaho and (2) *new furniture, and mattresses*, (a) from points in Oregon and Washington to points in California and Nevada and (b) from points in California to points in Oregon and Washington. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 112241 (Sub-No. 2), filed January 13, 1969. Applicant: BERT HUSSEY, doing business as HUSSEY'S, 1720 Broadway, Vallejo, Calif. 94590. Applicant's representative: Raymond A. Greene, Jr., 405 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in San Francisco, Alameda, Contra Costa, Marin, Sonoma, Lake, Napa, Solano, Yolo, Sacramento, and San Joaquin Counties, Calif. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 112520 (Sub-No. 194), filed January 13, 1969. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Sol H. Proctor, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to op-

erate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lard and grease*, edible or nonedible, from points in Gadsden County, Fla., to points in Florida, Georgia, Alabama, Mississippi, Tennessee, and Louisiana. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 112801 (Sub-No. 88), filed December 27, 1968. Applicant: TRANSPORT SERVICE CO., Post Office Box 50272, Chicago, Ill. 60650. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, plastic pellets, granules, and cubes*, from Henry, Ill., to points in Arkansas, Indiana, Missouri, Iowa, Kansas, Kentucky, Ohio, Michigan, Minnesota, Pennsylvania, Nebraska, Tennessee, Wisconsin, Maine, New Jersey, New York, Vermont, Massachusetts, and Connecticut. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113106 (Sub-No. 31), filed January 21, 1969. 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: *Empty glass containers, empty plastic containers, closures and fiberboard or pulpboard cartons or boxes*, from Washington, Pa., to points in Delaware, Maryland (except Baltimore, Md.), the District of Columbia and those in Virginia on, west and north of a line beginning at the Virginia-North Carolina State line and extending along U.S. Highway 29 to junction U.S. Highway 60 at Amherst, Va., thence east along U.S. Highway 60 to Richmond, Va., and thence along U.S. Highway 360 to Reedville, Va. (except points in Accomack and Northampton Counties, Va.); and *returned shipments* of the above-specified commodities from the above-described destination territory to Washington, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113843 (Sub-No. 146), filed January 22, 1969. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Detroit, Mich., to points in Arkansas, Iowa, Kansas, Minnesota, Nebraska, Oklahoma, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114115 (Sub-No. 16), filed January 16, 1969. Applicant: TRUCKWAY SERVICE, INC., 1099 Oakwood Boulevard, Detroit, Mich. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Au-

thority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in packages, from points in Hamilton County, Ohio, to points in Illinois, Indiana, Kentucky, Pennsylvania, West Virginia and Lower Peninsula of Michigan, under contract with International Salt Co. and Morton International, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 114334 (Sub-No. 17), filed January 17, 1969. Applicant: BUILDERS TRANSPORTATION COMPANY, a corporation, 3263-3265 Tulane Road, Memphis, Tenn. 38116. Applicant's representative: Dale Woodall, 900 Memphis Bank Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between Caruthersville, Mo., on the one hand, and, on the other, points in Arkansas. **NOTE:** Applicant states it could tack with its Sub 4, at West Memphis, Ark., and provide service to Mississippi from Caruthersville, Mo. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Memphis Tenn.

No. MC 114486 (Sub-No. 21), filed January 21, 1969. Applicant: AUTREY F. JAMES, doing business as A. F. JAMES TRUCK LINE, 107 Lelia Street, Texarkana, Tex. 75001. Applicant's representative: Donald R. Partney, 35 Glenmere Drive, Little Rock, Ark. 72204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products and fittings and jointing materials* therefor, from Pittsburg, Kans., to points in New Mexico and Texas, under contract with W. S. Dickey Clay Manufacturing Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., Dallas, Tex., or Kansas City, Mo.

No. MC 115162 (Sub-No. 165), filed January 13, 1969. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boxes, crates, and pallets*, from points in Hale and Tuscaloosa Counties, Ala., to points in Kansas, New Jersey, New York, Texas, Virginia, and West Virginia, (2) *pallets*, from points in Hale County, Ala., to points in Nebraska, Minnesota, Missouri, and Arkansas, (3) *boxes and crates*, from points in Hale County, Ala., to points in Indiana, Illinois, Ohio, Wisconsin, and Michigan, (4) *nails and steel strapping*, from Bridgewater, Mass., Cleveland, Ohio, and Chicago, Ill., to points in Hale and Tuscaloosa Counties, Ala., and (5) *insulating materials, mineral wool, and mineral-wool cement*, from Leeds, Ala., to points in Kentucky and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.



No. MC 115311 (Sub-No. 97), filed January 17, 1969. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Daniell and Bill R. Davis, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from points in Chatham County, Ga., to points in Alabama, Georgia, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga.

No. MC 115841 (Sub-No. 341), filed January 16, 1969. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* (except in bulk), in vehicles equipped with mechanical refrigeration, from points in Barren County, Ky., to points in Alabama, Georgia, Louisiana, Maryland, Mississippi, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116073 (Sub-No. 90), filed January 16, 1969. Applicant: BARRETT MOBILE HOME TRANSPORT INC., 1825 Main, Post Office Box 601, Moorehead, Minn. 56560. Applicant's representative: Donald E. Cross, 1329 E Street NW, 917 Munsey Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* designed to be drawn by passenger automobile, (2) *pickup campers*, and (3) *buildings* in sections mounted on wheeled undercarriages in initial movement, from points in Brown County and Scott County, Minn., to points in the United States (except Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 116325 (Sub-No. 58), filed January 13, 1969. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Post Office Box 8, Lutesville, Mo. 63762. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, (1) between points in Missouri on and east of Missouri Highway 51; and (2) between points in Missouri on and east of Missouri Highway (southeast Missouri) on the one hand, and points in Missouri, and Arkansas, on the other. NOTE: Applicant states there may be tacking or joining possibilities. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 116326 (Sub-No. 5), filed January 15, 1969. Applicant: HENDRIE'S INC., 131 Elliot Street, Milton, Mass. 02187. Applicant's representative: Kenneth B. Williams, 111 State Street, Boston, Mass. 02109. Authority sought to

operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between the plantsite of Hendrie's Inc., in Milton, Mass., on the one hand, and, on the other, points in New York and New Jersey under a continuing contract with Stop & Shop, Inc., Boston, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 116763 (Sub-No. 145), filed December 30, 1968. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380 and 906 Magnolia Avenue, Auburndale, Fla. 33823. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Furnaces, furnace radiators, air conditioners, air cleaners, coolers, heaters roof fasteners, and (2) parts and accessories* used in installation of items named in (1) above, from Bryan, Ohio, to points in Arkansas; Alabama on and north of U.S. Highway 80, Georgia north of U.S. Highway 80, and Oklahoma and Texas. NOTE: Applicant states no duplicating authority is sought and it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 116949 (Sub-No. 14), filed January 17, 1969. Applicant: BURNS TRUCKING, INC., Route No. 1, South Sioux City, Nebr. Applicant's representative: Paul W. Deck, 222 Davidson Building, Sioux City, Iowa 51101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New doors and windows, constructed of aluminum, glass, wood, or combinations thereof, and parts, accessories, and screens* thereto, for the account of Gerkin Co., Inc., between the plantsite of Gerkin Co., Inc., at or near Sioux City, Iowa, on the one hand, and, on the other, points in Minnesota, Wisconsin, Illinois, North Dakota, South Dakota, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 117029 (Sub-No. 2), filed December 27, 1968. Applicant: GEORGE C. WIEGER, 10 Hawthorne Avenue, Trenton, N.J. Applicant's representative: Anton J. Hollendonner, 219 East Hanover Street, Trenton, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Uncrated refrigerated display cases, walk-in refrigerator boxes, and refrigerating units and coils*, from the plantsite of C. V. Hill and Co., Inc., in Trenton, N.J., to points in Connecticut, Delaware, Maryland, New York, and those in Pennsylvania on and east of U.S. Highway 19, and (2) *used and damaged refrigerated display cases and walk-in refrigerator boxes*, between points in the destination territory described in (1) above and from points in said destination territory to the plantsite of C. V. Hill and Co., Inc., in Trenton, N.J. NOTE: The purpose of this instant application is to remove an operating restriction contained in its lead certificate (MC 117029). If a hearing is deemed necessary, appli-

cant requests it be held at Trenton, N.J., Philadelphia, Pa., or New York, N.Y.

No. MC 117344 (Sub-No. 191), filed January 17, 1969. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Stivers, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Delaware County, Ohio, to points in Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 118262 (Sub-No. 1), filed January 6, 1969. Applicant: GEORGE CLARK TRANSIT COMPANY, a corporation, 2902 Calumet Road, Manitowoc, Wis. 54220. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4514 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Manitowoc, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 118282 (Sub-No. 20), filed January 8, 1969. Applicant: JOHNNY BROWN'S, INC., 6801 Northwest 74th Avenue, Miami, Fla. 33166. Applicant's representative: Archie B. Culberth and Guy H. Postell, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Molds, plastic molding, and/or related jigs or fixtures*, and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with (1) above, between the plantsite and warehouse facilities of Rubbermaid Commercial Products, Inc., at or near Winchester, Va., on the one hand, and, on the other the plantsite and warehouse facilities of Rubbermaid (Canada) Ltd., at or near Cooksville, Ontario, Canada. NOTE: Applicant holds contract authority under MC 125811. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC 118989 (Sub-No. 21), filed January 6, 1969. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, container components and ends, and supplies* used in the manufacture and distribution of metal containers and container ends that move with metal containers and container ends and steel, tin and aluminum tops and closures, (1) from the plantsites and/or facilities of



Crown Cork and Seal Co., Inc. at Birmingham, Ala.; Chicago, Ill.; Minneapolis, Minn.; St. Louis, Mo.; Faribault, Minn.; Kankakee, Ill.; and Fort Worth, Tex., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Oklahoma, Tennessee, and Wisconsin; and (2) from the plant-sites and/or facilities of Continental Can Co., Inc., at Chicago, Ill., to points in Indiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, Iowa, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118989 (Sub-No. 22), filed January 13, 1969. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53221. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass containers and caps, covers, tops and stoppers moving with glass containers and fiberboard boxes, moving with glass containers, from the plant-site of Midland Glass Co., located at Shakopee, Minn., to Sheboygan, Oconto, Pulaski, and Bondel, Wis., and Clear Lake, and Belmond, Iowa.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Minneapolis, Minn., or Madison, Wis.

No. MC 119099 (Sub-No. 6), filed January 13, 1969. Applicant: BJORKLUND TRUCKING, INC., First Avenue NE and Eighth Street, Buffalo, Minn. 55313. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic burial vault liners, from Little Hocking, Ohio, to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119641 (Sub-No. 77), filed January 10, 1969. Applicant: RINGLE EXPRESS, INC., 450 South Ninth Street, Fowler, Ind. 47944. Applicant's representative: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors, (except truck tractors); (2) industrial, construction, excavating and material handling equipment; (3) agricultural implements and farm machinery; (4) attachments for the commodities described in (1), (2), and (3) above; and (5) parts of the commodities described in (1), (2), (3), and (4) above, when moving in mixed loads with such commodities, from points in the Detroit, Mich., commercial zone and Romeo, Mich., to points in the United States (except Alaska and Hawaii).* **NOTE:** Applicant states that it does not propose to tack this authority sought with any presently existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 119702 (Sub-No. 34), filed January 15, 1969. Applicant: STAHL CARTAGE CO., a corporation, Post Office Box 486, Edwardsville, Ill. 62025. Applicant's representative: Robert D. Higgins (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Calcium chloride, in bulk, (1) from Dubuque, Iowa, to points in Minnesota, Wisconsin, Illinois, and Iowa; and (2) from Lemont and La Salle-Peru, Ill., to points in Wisconsin.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 119777 (Sub-No. 137), filed January 17, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Piling, poles or timbers, treated and untreated, from Fernwood, Miss., to points in Indiana, Kentucky, and Ohio.* **NOTE:** Applicant states it holds contract carrier authority under MC 123970, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant does not specify location.

No. MC 119789 (Sub-No. 28), filed January 2, 1969. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 1006, Opelousas, La. 70570. Applicant's representative: Paul M. Daniel, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: *Pineapples, fresh fruits, and fresh vegetables, when moving in the same vehicle and at the time time with bananas (presently authorized), from Gulfport, Miss., to points in Alabama (except Montgomery), Arizona, Arkansas, California, Colorado, Georgia (except Atlanta, and points within 15 miles of Atlanta), Idaho, Illinois, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, West Virginia, Wisconsin, and Wyoming.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Gulfport, Miss., or New Orleans, La.

No. MC 123048 (Sub-No. 146), filed January 9, 1969. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors (except truck tractors); (2) industrial, construction, excavating, and material handling equipment; (3) agricultural implements and farm machinery; (4) attachments for the commodities described in (1), (2), and (3) above; and (5) parts of the commodities described in (1), (2), (3), and (4) above, when moving in mixed loads with such commodities, from Detroit, Mich., com-*

mercial zone and Romeo, Mich., to points in the United States (except Alaska and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 123048 (Sub-No. 147), filed January 13, 1969. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements and farm machinery; (2) industrial, construction, excavating and material handling equipment; (3) attachments for the commodities described in (1) and (2) above; and (4) parts of the commodities described in (1), (2), and (3) above when moving in mixed loads with such commodities, from Des Moines, Iowa, to points in the United States (except Alaska and Hawaii).* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 123173 (Sub-No. 5), filed January 15, 1969. Applicant: MISSION FUEL LIMITED, Post Office Box 965, Broadway Street, Mission City, British Columbia, Canada. Applicant's representative: Clyde H. MacIver, 2112 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber, shakes, and shingles, from port of entry at or near Sumas, Wash., on the international boundary line between the United States and Canada, to points in Western Washington.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Ore.

No. MC 123407 (Sub-No. 46), filed January 3, 1969. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. 55404. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Composition board and materials and accessories used in the installation thereof, from Dubuque, Iowa, to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, and Wisconsin.* **NOTE:** Applicant holds authority in MC 123407 by tacking separate grants of authority at Warren, Ill., to render service from Dubuque, Iowa, to points in Indiana, Kansas, Michigan, Minnesota, Nebraska, Ohio, Pennsylvania, and South Dakota. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Washington, D.C.

No. MC 123819 (Sub-No. 23), filed January 6, 1969. Applicant: ACE FREIGHT LINE, INC., Post Office Box 2103, 261 East Webster Street, Memphis, Tenn. 38102. Applicant's representative: Bill R. Davis, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a



common carrier, by motor vehicle, over irregular routes, transporting: *Canned food preparations and canned foodstuffs* and advertising promotional and display materials when moving therewith, from the plantsite, warehouses, and facilities of Delta Food Processing Corp., in Sunflower County, Miss., to points in Alabama, Arkansas, Oklahoma, Missouri, Kentucky, Tennessee, Mississippi, Florida, Texas, Louisiana, Illinois, Indiana, and Georgia, restricted to traffic originating at the origin points named. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Jackson, Miss.

No. MC 123905 (Sub-No. 10), filed January 17, 1969. Applicant: OLEN BURRAGE, Route 9, Box 22-A, Philadelphia, Miss. 39350. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22533, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Laurel, Miss., to points in Alabama, Georgia, Illinois, Indiana, Kentucky, Louisiana, Michigan, Missouri, Ohio, Oklahoma, Tennessee, and Texas, under a continuing contract or contracts, with Don-Bar Lumber Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 123922 (Sub-No. 17), filed January 10, 1969. Applicant: CHARTER BULK SERVICE, INC., 80 Doremus Avenue, Newark, N.J. 07105. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water softening compounds*, dry, in bulk, from Nashua, N.H., to Port Ivory, Staten Island, N.Y., Baltimore, Md., Quincy, Mass., Augusta, Ga., Cincinnati, Ohio, Chicago, Ill., St. Louis, Mo., Kansas City, Kans., Dallas, Tex., and Sacramento, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124154 (Sub-No. 27), filed January 13, 1969. Applicant: WINGATE TRUCKING COMPANY, INC., Post Office Box 1372, Albany, Ga. 31702. Applicant's representative: W. Guy McKenzie, Jr., Post Office Box 1200, Tallahassee, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals and agricultural chemical materials*, in containers between points in Georgia, North Carolina, South Carolina, and Virginia. NOTE: Applicant holds contract carrier authority under MC 117504 Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 124783 (Sub-No. 11), filed December 30, 1968. Applicant: KATO EXPRESS, INC., Route 3, Elizabethtown, Ky. 42701. Applicant's representative: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (ex-

cept classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), restricted to shipments having a prior or subsequent movement by air, between Dress Memorial Airport at or near Evansville, Ind., and Standiford Field, Louisville, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville or Elizabethtown, Ky.

No. MC 124796 (Sub-No. 44), filed January 9, 1969. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Auto parts and accessories, automotive jacks and cranes* (not self-propelled), *hand, electric, and pneumatic tools, advertising materials, premiums, racks, display cases and signs*, from Arden, N.C., to points in the United States; and (2) *component parts, raw materials, equipment and supplies*, or return, restricted to shipments originating at or terminating at the plantsite or warehouse facilities utilized by Walker Manufacturing Co., under contract with Walker Manufacturing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Asheville, N.C.

No. MC 124796 (Sub-No. 45), filed January 13, 1969. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, toilet articles, germicides, and advertising matter; buffing, polishing, cleaning, scouring and washing compounds, solvents, starch, sponges and advertising materials; drugs and janitorial supplies*, from Carol Stream, Ill., to points in Alabama, Arizona, California, Georgia, Idaho, Mississippi, Nevada, New Mexico, Oregon, Utah, and Washington; and *outdated, refused and rejected shipments* of such commodities on return, under contract with Alberto-Culver Co., restricted against the transportation of the above-described commodities in bulk. NOTE: Applicant states that all traffic is to originate or terminate at the plantsite of Alberto-Culver Co., Carol Stream, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125140 (Sub-No. 7), filed January 15, 1969. Applicant: RICHARD B. BRUNZLICK, Augusta, Wis. 54722. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and fruit juices*, from Chippewa Falls, Wis., to points in Michigan on and south of U.S. Highway 10, under contract

with Bowman Dairy Sales Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 125385 (Sub-No. 2), filed January 15, 1969. Applicant: AUGIE PASSIEU TRUCKING, INC., Box 53, Cecil, Pa. 15321. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roof deck*, from Heidelberg, Pa., to points in Indiana and Illinois, under continuing contract with Bowman Building Products, Division of Cyclops Corp. NOTE: Applicant has common carrier authority in MC 96841 Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 126706 (Sub-No. 3), filed January 17, 1969. Applicant: KLEYSEN'S CARTAGE CO., LTD., 420 McGillivray Boulevard, Fort Garry Post Office, Winnipeg 9, Manitoba, Canada. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Potash*, from the port of entry on the international boundary line between the United States and Canada located at or near Northgate, N. Dak., to points in Burke County, N. Dak., under contract with International Minerals & Chemical Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 127099 (Sub-No. 7), filed January 21, 1969. Applicant: ROBERT NEFF & SONS, INC., 132 Shawnee Avenue, Post Office Box 2015, Zanesville, Ohio 43701. Applicant's representative: James R. Stiversen, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Benches, lumber, cabinets, shelving, chairs, tables, and metal and woodworking machinery*, for use in schools and institutions, and *related parts and accessories* for the installation thereof, and *materials and supplies*, except in bulk, used in the manufacture of the above-named commodities, from Malta Township, Morgan County, Ohio, to points in the United States on and east of U.S. Highway 85, under a continuing contract, or contracts with Brodhead-Garrett Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127705 (Sub-No. 22), filed January 21, 1969. Applicant: KREVDIA BROS. EXPRESS, INC., Post Office Box 68, Gas City, Ind. 46933. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and closures therefor*, from the plantsite of Glass Container Corp., at Indianapolis, Ind., to points in Illinois. NOTE: If a hearing is deemed necessary, applicant



requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 127876 (Sub-No. 4), filed January 13, 1969. Applicant: ROBERT EUCLIDE TRUCKING, Route No. 4, Green Bay, Wis. 54301. Applicant's representative: Edward Solle, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials and supplies*, except cement, cement products, and commodities which by reason of size or weight require the use of special equipment or special handling, from the village of Howard, Wis., to points in the Upper Peninsula of Michigan; (2) *brick*, from Streator, Ill., to points in Langlade, Lincoln, Oneida, and Vilas Counties, Wis., and (3) *finished and unfinished stone products*, from points in Fond du Lac County, Wis., to points in Illinois and the Upper Peninsula of Michigan. Note: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 128190 (Sub-No. 5) (Clarification), filed December 12, 1968, published in the FEDERAL REGISTER issue of January 9, 1969, and republished as clarified this issue. Applicant: FREMONT CONTRACT CARRIERS, INC., Fremont, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Metal caps* from Chicago, Ill., to Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; (b) *plastic bowls and lids*, from Omaha, Nebr., to Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; and Anaheim, Calif.; (c) *plastic pails and 55-gallon drums*, from Peotone, Ill., to Sioux City, Iowa; Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; and Anaheim, Calif.; (d) *glass containers* from Huntington, W. Va., to Sioux City, Iowa; Temple, Tex.; Lima, Ohio; Waycross, Ga.; (e) *glass containers* from Sand Springs, Okla., to Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; Anaheim, Calif.; (f) *glass containers* from Muskogee, Okla., to Lima, Ohio; Sioux City, Iowa; Temple, Tex.; and (g) *plastic doll honey containers* from Ligonier, Ind., to Sioux City, Iowa; Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; Anaheim, Calif., under contract with Sioux Honey Association, Sioux City, Iowa. Note: The purpose of this republication is to reflect the origin point as Ligonier, Ind., in lieu of Ligonier, Ohio, as previously published in (g) above. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 128985 (Sub-No. 1), filed January 21, 1969. Applicant: M. L. WILKERSON, doing business as WILKERSON TRUCKING COMPANY, Route No. 5, Lenoir City, Tenn. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular

routes, transporting: (1) *Exhaust pots and mufflers, exhaust, and tail pipe*, with or without fittings, between the plantsite and storage facilities of Maremont Corp. at or near Loudon, Tenn., on the one hand, and, on the other, points in the States which border on the Mississippi River, and points in the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundary of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada; and (2) (a) *commodities* in trailerload shipments, having a prior or subsequent transportation via railroad trailer on flat car service; (b) pickup and delivery of *empty trailers* having prior or subsequent transportation via railroad trailer on flat facilities at Knoxville, Alcoa, and Oak Ridge, Tenn., on the one hand, and, on the other, the plantsite and storage facilities of Maremont Corp. at or near Loudon, Tenn., under a continuing contract, or contracts, with Maremont Corp. Note: Applicant holds common carrier authority under MC 124632 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 129035 (Sub-No. 2), filed January 8, 1969. Applicant: OAKLEY TRANSFER & STORAGE COMPANY, a corporation, 4115 Edith Boulevard NE., Albuquerque, N. Mex. 87107. Applicant's representative: Jerry R. Murphy, 708 LaVeta NE., Albuquerque, N. Mex. 87108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods), between the Albuquerque, N. Mex., Municipal Airport, on the one hand, and, on the other, Los Alamos, N. Mex., restricted to traffic having an immediately prior or subsequent movement by air. Note: If a hearing is deemed necessary, applicant requests it be held at Albuquerque or Santa Fe, N. Mex.

No. MC 129089 (Sub-No. 2), filed January 13, 1969. Applicant: MIDWEST MATERIAL SERVICE COMPANY, a corporation, Foot of Mart, Muskegon, Mich. 49440. Applicant's representative: Judson B. Robb, Kurylo Building, 1158 Oak Street, Wyandotte, Mich. 48192. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Newsprint*, from Muskegon, Mich., to Traverse City, Cadillac, Owosso, Ravenna, and Paw Paw, Mich.; under contract with West Michigan Dock & Market Corp., Muskegon, Mich. Note: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 129100 (Sub-No. 2), filed January 27, 1969. Applicant: PACKAGE DELIVERY SERVICE CO., a corporation, 2127 Arapahoe Street, Denver, Colo. 80205. Applicant's representatives: Wentworth E. Griffin and Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as

a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between points in Colorado, Wyoming, Nebraska, New Mexico, and Texas within the following described area: Beginning at a point on the Colorado-New Mexico State line where intersected by the Continental Divide, thence north along the Continental Divide to the point where it intersects the Colorado-Wyoming State line, thence east along the Colorado-Wyoming State line to its junction with U.S. Highway 287, thence north along U.S. Highway 287 to its junction with Interstate Highway 80, thence northwesterly along Interstate Highway 80 to its junction with U.S. Highway 287, thence north along U.S. Highway 287 to its junction with Wyoming Highway 220, thence northeasterly along Wyoming Highway 220 to its junction with U.S. Highway 26, thence southeasterly along U.S. Highway 26 to its junction with Interstate Highway 80, thence east along Interstate Highway 80 to North Platte, Nebr., thence west along Interstate Highway 80 and Interstate Highway 80S to the Colorado-Nebraska State line, thence east and south along the Colorado-Nebraska State line to its junction with the Kansas State line, thence south along the Colorado-Kansas State line to its junction with the Oklahoma State line, thence west along the Colorado-Oklahoma State line to its junction with the New Mexico State line, thence west along the Colorado-New Mexico State line to its junction with U.S. Highway 85, thence south along U.S. Highway 85 to its junction with U.S. Highway 70, thence over U.S. Highway 70 to Alamogordo, N. Mex., thence over U.S. Highway 54 to El Paso, Tex., thence over U.S. Highway 85 to Santa Fe, N. Mex., thence over U.S. Highway 285 to its junction with the Colorado-New Mexico State line, thence west along the Colorado-New Mexico State line to its intersection with the Continental Divide, the point of beginning, and also serving all points on or within 10 miles of the highways listed above. Applicant proposes to interline shipments at all points it is authorized to serve. Restrictions: (1) No transportation service shall be rendered to, from, or between points in Jackson County, Colo. (2) No service shall be rendered in the transportation of any package weighing more than 100 pounds and no service shall be provided in the transportation of any shipment weighing more than 200 pounds from any one consignor or any one consignee on any one day. Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 129645 (Sub-No. 5), filed January 10, 1969. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson Street, Iron Mountain, Mich. 49801. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to



operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood dimension stock*, from Houghton, Mich., to points in New York, Pennsylvania, West Virginia, Virginia, North Carolina, South Carolina, Tennessee, Kentucky, Georgia, Alabama, Louisiana, Connecticut, New Jersey, Michigan, Wisconsin, Minnesota, Illinois, Ohio, Indiana, Missouri, Arkansas, California, and Texas. NOTE: Applicant holds contract carrier authority under MC 127093 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133119 (Sub-No. 3), filed January 13, 1969. Applicant: DONALD L. HEYL, doing business as HEYL TRUCK LINES, Akron, Iowa. Applicant's representative: Ervin A. Hutchison, 414 Security Bank Building, Sioux City, Iowa 51101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible pork lungs*, from the plantsites of Winnebago Pet Foods, Inc., at Winnebago, Nebr., and Iowa By-Products, Inc., at Sioux City, Iowa, to Moore Air Force Base, Mission, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, Omaha, Nebr., or Kansas City, Mo.

No. MC 133163 (Sub-No. 2), filed January 13, 1969. Applicant: TRIANGLE TRUCKING CO., a corporation, 620 Seventh Street, San Francisco, Calif. 94103. Applicant's representative: Raymond A. Greene, 405 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, crated and uncrated, and furniture parts*, from San Francisco, Calif., to points in Sonoma, Napa, Yolo, Sacramento, San Joaquin, Stanislaus, Merced, San Benito, Monterey, Santa Cruz, Santa Clara, San Mateo, San Francisco, Marin, Solano, Contra Costa, and Alameda Counties, Calif., and returned shipments of new furniture and furniture parts, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 133222 (Sub-No. 1), filed January 13, 1969. Applicant: IRENE J. HAROLD, doing business as ROYAL VAN AND STORAGE, 1153 Commercial Avenue, Oxnard, Calif. 93030. Applicant's representative: Ernest D. Salm, 3846 Eavns Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Los Angeles, Santa Barbara, and Ventura Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133256 (Sub-No. 1), filed January 21, 1969. Applicant: CONSOLIDATED CALIFORNIA TERMINALS, INC., Post Office Box 6388, San Jose, Calif. 95150. Applicant's representative: Raymond A. Greene, Jr., 405 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, and parts therefor*, from San Jose, Calif., to points in Sonoma, Napa, Yolo, Sacramento, San Joaquin, Stanislaus, Merced, Fresno, San Benito, Monterey, Santa Cruz, Santa Clara, San Mateo, San Francisco, Marin, Solano, Contra Costa, and Alameda Counties, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 133320 (Sub-No. 2), filed January 9, 1969. Applicant: JAMES D. RICHARDS, SR., doing business as RICHARDS TRANSPORT COMPANY, Route No. 4, Tomahawk, Wis. 54487. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Burial caskets, uncrated, and related displays or accessories* when shipped with uncrated burial caskets, from Tomahawk, Wis., to points in Iowa, Minnesota, North Dakota, the Upper Peninsula of Michigan, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 133332 (Sub-No. 1), filed January 6, 1969. Applicant: GENERAL NAILING MACHINE CORPORATION, 1324 Academy Avenue, Sanger, Calif. 93657. Applicant's representative: Marshall G. Berol, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated fibre-board boxes*, from the plantsites of Crown Zellerbach Corp., Gaylord Container Division, at Antioch and Gilroy, Calif., to points in Maricopa, Yuma, and Cochise Counties, Ariz., for the account of Crown Zellerbach Corp., Gaylord Container Division. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 133339 (Correction), filed December 9, 1968, published FEDERAL REGISTER issue of January 3, 1969, and republished as corrected this issue. Applicant: VICTORIA TRANSFER & STORAGE CO., a corporation, 1211 North Laurent Street, Post Office Box 1807, Victoria, Tex. 77901. Applicant's representative: Mert Starnes, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, materials, and supplies*, between Victoria, Tex., on the one hand, and, on the other, points in Aransas, De Witt, Jackson, Calhoun, Victoria, Bee, Goliad, Refugio, and Lavaca Counties, Tex., restricted to traffic having a prior or subsequent out-of-State movement, under contract with Southwestern Bell Telephone Co. NOTE:

The purpose of this republication is to correctly set forth Aransas in lieu of Arkansas with respect to the points to be served, which was erroneously shown in previous publication. Applicant is also authorized to conduct operations as a *common carrier* in certificate No. MC 109444, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at San Antonio or Houston, Tex.

No. MC 133386 (Correction), filed December 30, 1968, published FEDERAL REGISTER issue of January 24, 1969, and republished as corrected this issue. Applicant: SUPER SPEED TRANSPORT, INC., Clarenceville, County of Missisquoi, Province of Quebec, Canada. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement* in bags, from ports of entry on the international boundary line between the United States and Canada in New York, New Hampshire, and Vermont, to points in New York, New Hampshire, and Vermont, under contract with Miron Compagnie Limitee. NOTE: The purpose of this republication is to include the destination points in territory sought, which was erroneously omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Plattsburgh or Albany, N.Y.

No. MC 133393, filed January 8, 1969. Applicant: REGINALD A. DENNO, 701 Cayuta Avenue, Waverly, N.Y. 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) *Dairy products and concentrated orange juice*, from South Waverly, Pa., and Waverly, N.Y., to points in Bergen, Passaic, Hudson, Essex, Union, Middlesex, and Somerset Counties, N.J., and New York, N.Y.; and (2) *groceries and dairy products*, from Fairlawn, N.J., to South Waverly, Pa., and Waverly, N.Y., both under contract with Valley Creamery Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.Y., or New York, N.Y.

No. MC 133398, filed January 8, 1969. Applicant: BOB EVANS, INC., 1355 Boynton Avenue, Bronx, New York, N.Y. 10472. Applicant's representative: George Chernoff, 295 Madison Avenue, New York, N.Y. 10017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Groceries*, from New York, N.Y., to points in Fairfield and New Haven Counties, Conn., and Bergen, Essex, and Passaic Counties, N.J., under contract with Bernice Foods, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133399, filed January 9, 1969. Applicant: IOWA GATEWAY, INC., doing business as GATEWAY TERMINAL, River Road, Keokuk, Iowa 52632. Applicant's representative: Robert F. Holz, Jr., 400 Empire Building, Des Moines, Iowa 50309. Authority sought to operate



as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Iowa Gateway Terminal on the Mississippi River 3 1/4 miles east of U.S. Highway 61 and 6 miles north of Keokuk, Iowa, to points in Iowa, Illinois, Missouri, Kansas, Nebraska, South Dakota, North Dakota, Montana, Minnesota, Wisconsin, Michigan, and Wyoming, under contract with Bowaters Southern Paper Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 133404, filed January 10, 1969. Applicant: PETER S. MAISANO, doing business as ACE AUTOMOBILE TRANSPORTATION CO., 3169 Woodward Avenue, Detroit, Mich. 48226. Applicant's representative: Rex Eames, 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles*, in driveaway service, between points in the Lower Peninsula of Michigan on the one hand, and, on the other, points in the United States (except points in Michigan and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 133405 (Sub-No. 1), filed January 14, 1969. Applicant: I. BOWIE HALL, doing business as BOWIE HALL TRUCKING, Box 1, Upper Marlboro, Md. 20870. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, tunnel lagging, equipment mats, form stock, and piling*, from points in Prince Georges, Anne Arundel, Calvert, Charles, and St. Marys Counties, Md., to points in Ohio, Pennsylvania, New Jersey, Delaware, New York, Connecticut, Rhode Island, Massachusetts, and West Virginia. **NOTE:** Applicant has contract carrier authority in MC 129612, therefore dual operations may be involved. Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 133406, filed January 13, 1969. Applicant: PROVON, INC., 23122 Highway 99 North, Edmonds, Wash. 98020. Applicant's representative: George Kargian, 609 Norton Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Travel trailers and campers and portable buildings, prefabricated buildings and/or buildings in sections* designed to be drawn by passenger automobiles by truckaway service only, between points in California, Oregon, and Washington. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Seattle or Everett, Wash.

No. MC 133408, filed January 16, 1969. Applicant: SCOTT MOTOR TRANSPORT COMPANY, a corporation, 33 High Street, Belfast, Maine 04915. Applicant's representative: Bruce J. Phillips, 55 Broadway, Bangor, Maine 04401. Authority sought to operate as a *con-*

*tract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in tank trucks or tank trailers, from plantsites in Massachusetts, New Hampshire, and Maine to plantsites or dealers and customers in Maine and New Hampshire, under contract with Webber Tanks, Inc.; Dead River Co. and Webber Oil Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Bangor, Augusta, or Portland, Maine.

No. MC 133409, filed January 13, 1969. Applicant: LOUIS H. FOLTZ, doing business as AIR FREIGHT DELIVERY SERVICE, 1031 Orchard Avenue, Winchester, Va. 22601. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value classes A and B explosives, commodities in bulk, and commodities requiring special equipment), between points in Frederick County, Va., on the one hand, and, on the other, Friendship International Airport at Baltimore, Md.; Dulles International Airport at Chantilly, Va.; and National Airport at Alexandria, Va., restricted to shipments having a prior or subsequent movement by air. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 409), filed January 21, 1969. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. 07040. Applicant's representative: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, during the authorized racing season at Dover Downs Race Track, Dover, Del., beginning and ending at New York City, N.Y., Philadelphia and Upper Darby, Pa., and points in New Jersey and extending to Dover Downs Race Track, Dover, Del. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., and Philadelphia, Pa.

No. MC 58487 (Sub-No. 5), filed January 14, 1969. Applicant: FAYE PARSONS, doing business as FALLS CITY—LINCOLN STAGE LINES, 3621 B Street, Lincoln, Nebr. 68510. Applicant's representative: David J. Cullan, 608 Executive Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, passengers and their baggage, and express and newspapers*, between Lincoln and Auburn, Nebr.: From Lincoln over Nebraska Highway 2 to Syracuse Junction, thence over Syracuse Junction to Nebraska Highway 50, thence over Nebraska Highway 50 to Tecumseh Junction, thence over Tecumseh Junction to U.S. Highway 136, thence over U.S. Highway 136 to Auburn, Nebr., and return over the same route, serving intermediate

points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 133362, filed December 12, 1968. Applicant: THE WILDERNESS TRANSIT COMPANY, a corporation, 451 School Street, Craig, Colo. 81625. Applicant's representative: Worth F. Shrimpton, Craig Professional Building, Post Office Box 642, Craig, Colo. 81625. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (1) Over regular routes: *Passengers and their baggage, and newspapers and express in the same vehicle with passengers*, between Craig, Colo., and Rawlins, Wyo., from Craig over Colorado Highway 789 to the Colorado-Wyoming State line, thence over Wyoming Highway 789 to Rawlins, and return over the same route, serving all intermediate points; and (2) Over irregular routes: *Passengers and their baggage in the same vehicle with passengers*, in charter operations, beginning and ending at Craig, Colo., and extending to points in Wyoming. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Craig, Colo.

#### APPLICATION FOR BROKERAGE LICENSE

No. MC 130077, filed December 31, 1968. Applicant: STAATS-HEROLD CORPORATION, 60-20 Broadway, Woodside, N.Y. 11377. Applicant's representative: John R. Sims, Jr., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. For a license (BMC 5) to engage in operations as a *broker* at Woodside, N.Y., in arranging for transportation in interstate or foreign commerce of *passengers and their baggage*, in the same vehicle with passengers, both as individuals and in groups, in special round-trip pleasure and sightseeing tours, beginning and ending at New York, N.Y., and extending to points in the United States, restricted to tours accompanied by a German-English speaking guide.

No. MC 130078, filed January 14, 1969. Applicant: HISTORICAL TIMES, INC., 302 York Street, Gettysburg, Pa. 17325. Applicant's representative: Harold E. Mesirov, 1001 Connecticut Avenue NW., Washington, D.C. 20036. For a license (BMC 5) to engage in operations as a *broker* at Gettysburg, Pa., in arranging for the transportation in interstate or foreign commerce of *passengers and their baggage*, both as individuals and in groups, on all-inclusive round trip historical tours (except meals), beginning and ending at Gettysburg, Pa., or beginning and ending at Nashville, Tenn., and extending to points in the United States.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 52932 (Sub-No. 18), filed January 10, 1969. Applicant: NORTH PENN TRANSFER, INC., Routes 202 and 63, Box 230, Lansdale, Pa. 19446. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those



of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Phillipsburg, N.J., or Philadelphia, Pa., on the one hand, and, on the other, points in New Jersey (except Phillipsburg, N.J., and points on U.S. Highway 1, points on U.S. Highway 202 between the New Jersey-Pennsylvania State line and junction U.S. Highway 22, and points on U.S. Highway 22 between junction U.S. Highway 202 and junction U.S. Highway 1). NOTE: Applicant states it presently holds authority to serve the aforementioned points under its irregular route operation, via Lansdale, Pa., or points in Pennsylvania within 10 miles of Lansdale (not including Norristown). The purpose of this application is to eliminate the Lansdale and 10-mile-radius gateway.

No. MC 75840 (Sub-No. 112), filed January 3, 1969. Applicant: MALONE FREIGHT LINES, INC., 200 South 35th Street, Birmingham, Ala. 35222. Applicant's representative: Beverley S. Simms and Harold P. Boss, Suite 480, Mills Building, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, dangerous explosives, commodities in bulk, and those requiring special equipment), from points in Delaware, Georgia, Maryland, New Jersey, Ohio, Pennsylvania, South Carolina, Virginia, West Virginia, District of Columbia, those in Tennessee on, east, and south of a line beginning at the Georgia-Tennessee State line and extending along U.S. Highway 27 to junction U.S. Highway 70, thence along U.S. Highway 70 to Knoxville, thence along U.S. Highway 11W to the Tennessee-Virginia State line, and those in New York on and south of a line beginning at Oswego and extending along U.S. Highway 104, to Mexico, thence along New York Highway 69 to Rome, thence along New York Highway 49 to Utica, thence along New York Highway 5 to Schenectady, thence along New York Highway 7 to Troy, and thence along New York Highway 2 to the New York-Massachusetts State line, to points in North Carolina. NOTE: Applicant states the proposed authority will be joined generally at common points with other authorities held by applicant for the purpose of providing through service. However, the specific purpose of this application is to obtain the requested certificate of public convenience and necessity authorizing the above-described operation so as to eliminate the controversy resulting from the Court's reversal (Akers Motor Lines, Inc. v. United States) of the Commission's findings in MC-C-4172 that applicant is authorized by its certificate No. MC-75840 to join the following authorities at the common points of Elkin and Statesville, N.C., to provide through service between points in the respective

authorities. The application is also accompanied by a motion to dismiss.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-1477; Filed, Feb. 5, 1969;  
8:45 a.m.]

#### FOURTH SECTION APPLICATION FOR RELIEF

FEBRUARY 3, 1969.

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. 41554—Iron and steel articles to points in Louisiana. Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2936), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from specified points in Delaware, Maryland, New Jersey, New York, and Pennsylvania, to specified points in Louisiana.

Grounds for relief—Market competition.

Tariff—Supplement 99 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-428.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-1522; Filed, Feb. 5, 1969;  
8:47 a.m.]

[Notice 771]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 31, 1969.

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 3252 (Sub-No. 53 TA) (Correction), filed January 13, 1969, published in this FEDERAL REGISTER issue of January 18, 1969, and republished as corrected this issue. Applicant: PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine 04103. Applicant's representative: Francis E. Barrett, Jr., 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wet lap woodpulp, from Berlin, N.H., to Gilman, Vt., for 180 days. NOTE: The purpose of this republication is to correct the commodity description from that shown in the previous publication. Supporting shipper: Brown Co., Kalamazoo, Mich. 49007. Send protests to: Donal G. Weiler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Portland, Maine 04112.

No. MC 4883 (Sub-No. 37 TA), filed January 21, 1969. Applicant: THE GUYOTT COMPANY, 176 Forbes Avenue, New Haven, Conn. 06512. Applicant's representative: Paul J. Goldstein, 109 Church Street, New Haven, Conn. 06510. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Aluminum oxide abrasive, also known as "abrasive grain", in bulk, by tank truck or hopper type vehicle, from Worcester, Mass., to Waterbury, Conn., and rejected shipments, on return, for 180 days. Supporting shipper: The Lea Manufacturing Co., 237 East Aurora Street, Waterbury, Conn. 06720. Send protests to: District Supervisor David J. Kiernan, Interstate Commerce Commission, Bureau of Operations, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn. 06101.

No. MC 113041 (Sub-No. 9 TA), filed January 21, 1969. Applicant: AC-BERWICK TRANSPORTERS, INC., Mutton Hollow Road, Woodbridge, N.J. 07095. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 10016. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wax, in bulk, in insulated tank vehicles equipped with burners, from Paterson, N.J., to Lawrenceville, Ill., and Hammond, Ind., for 120 days. Supporting shipper, Witco Chemical Corp., Post Office Box 305, Paramus, N.J. 07652, E. P. Hayes, Eastern Regional Traffic Manager. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 113908 (Sub-No. 197 TA), filed January 24, 1969. Applicant: ERICKSON TRANSPORT CORPORATION, 706 West Tampa Street, Post Office Box 3180, Springfield, Mo. 65804. Authority sought to operate as a common carrier, by motor



vehicle, over irregular routes, transporting: *Fruit juice concentrates*, in bulk, in tank vehicles, from points in California to Cicero, Ill., for 180 days. Supporting shipper: Wagner Industries, 133 South 55th Court, Cicero, Ill. 60650. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 123075 (Sub-No. 19 TA) (Correction), filed January 15, 1969, published in the *FEDERAL REGISTER* issue of January 25, 1969, and republication in part, as corrected, this issue. Applicant: HAVEY D. SHUPE, HOWARD YOST, AND CHARLES MYLANDER, a partnership, doing business as SHUPE & YOST, Post Office Box 1123, Greeley, Colo. 80631. Applicant's representative: Herbert M. Boyle, 946 Metropolitan Building, Denver, Colo. 80202. Note: The purpose of this partial republication is to reflect that *contract carrier* authority is sought, in lieu of common carrier authority inadvertently shown in the previous publication. The rest of the application remains as previously published.

No. MC 123085 (Sub-No. 4 TA), filed January 21, 1969. Applicant: J. RINDNER TRUCKING CORP., 451 East Chester Street, Long Beach, N.Y. 11561. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by an importer of billiard supplies and billiard table parts*, between warehouses and facilities of Sutra Import Corp. in Oceanside, N.Y., on the one hand, and, on the other, points in New York, N.Y., harbors and harbors contiguous thereto as defined in 49 CFR 1070.1, for 180 days. Supporting shipper: Sutra Import Corp., 3530 Lawson Boulevard, Oceanside, N.Y. 11572. Send protests to: E. N. Carignan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 124111 (Sub-No. 20 TA), filed January 16, 1969. Applicant: OHIO EASTERN EXPRESS, INC., 300 West Perkins Avenue, Post Office Box 2297, Sandusky, Ohio 44870. Applicant's representative: Earl J. Thomas, Thomas Building, Post Office Drawer 70, Worthington, Ohio 43085. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products and articles distributed by meat packinghouses as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766 (except hides and commodities, in bulk)*, from the plantsites or storage facilities utilized by Riegel Provision Co. at Carey and New Riegel, Ohio, to points in the commercial zones (as defined by the Commission) of Baltimore, Md.; Boston, Mass.; New York, N.Y.; Philadelphia, Pa.; and Washington, D.C., and to points in Ber-

gen, Essex, Hudson, Passaic, and Union Counties, N.J., and Bramford, Bridgeport, East Hartford, New Haven, New London, Norwich, and Waterbury, Conn., and Brentwood, Cortland, Garden City, Mount Kisco, Middletown, Syracuse, and Waterford, N.Y., and to Brockton, Somerville and Worcester, Mass., for 180 days. Supporting shipper: Riegel Provision Co., Box 111, 27 South Perry Street, New Riegel, Ohio. Send protests to: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 133138 (Sub-No. 2 TA) (Correction), filed January 13, 1969, published in the *FEDERAL REGISTER* issue of January 25, 1969, and republished as corrected, this issue. Applicant: INTER-ISLAND GARMENT CARRIERS, INC., 18 Stegman Court, Jersey City, N.J. 07305. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials and supplies used or useful in the manufacture of wearing apparel*, between Farmingdale, N.Y., and New York, N.Y., for interline with other interstate carriers and freight forwarders, for 150 days. Note: The purpose of this republication is to redescribe the commodity description, a portion of which was inadvertently omitted in the previous publication. Supporting shipper: Colony Swim Suits, Inc., 360 Smith Street, Farmingdale, N.Y. Send protests to: District Supervisor W. J. Grossmann, Interstate Commerce Commission, Bureau of Operations, 970 Broad Street, Newark, N.J. 07102.

#### MOTOR CARRIER OF PASSENGERS

No. MC 133182 (Sub-No. 1 TA), filed January 24, 1969. Applicant: JOSEPH H. IRBY AND LEON E. CROENNE, a partnership, doing business as MISSISSIPPI COAST LIMOUSINE SERVICE, 808 Courthouse Road, Gulfport, Miss. 39501. Applicant's representative: David Cottrell, Jr., 2300 14th Street, Gulfport, Miss. 39501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, between points on the Mississippi Gulf Coast in Harrison County, Miss., over U.S. Highway 90 and Interstate Highway 10, and New Orleans International Airport at Kenner, La., serving no intermediate points, for 180 days. Supported by: Dave Boddie Travel Service, Biloxi, Miss. 39533, Lawrence Taylor, Holiday Inn of Biloxi, Gulfport, Biloxi, Miss. 39530, George M. Smith, Jr., Hancock Bank Travel Department, Gulfport, Miss. 39501; E. A. Stebbins, Port Director, Port of Gulfport, Gulfport, Miss. 39501, and others. Send Protests To: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Build-

ing, 145 East Amite Street, Jackson, Miss. 39201.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-1523; Filed, Feb. 5, 1969; 8:47 a.m.]

[Notice 772]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 3, 1969.

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 98945 (Sub-No. 6 TA) (Correction), filed January 9, 1969, published, *FEDERAL REGISTER*, issue of January 23, 1969, and republished as corrected, this issue. Applicant: THOMAS CARTAGE, INC., 303 North Wilson, Box 2301, Amarillo, Tex. 79105. Applicant's representative: Alvin A. Thomas (same address as above). 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, between Amarillo, Tex. (including the commercial zone thereof), and Keys, Okla., from Amarillo over U.S. Highway 287 to junction U.S. Highway 56 thence over U.S. Highway 56 to Keys, and return over the same route serving all intermediate points, and the off-route points of Chaney, Hartly, Dalhart, Conlen, and the Bureau of Mines Keys Helium Plant (located near Keys), Okla., for 180 days. Note: Applicant intends to tack to MC 98945 Sub-No. 5 and to interline at Amarillo, Tex., and Guymon, Okla. The purpose of this republication is to correctly set forth the proposed regular



route. Supporting shippers: There are approximately (53) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 918 Tyler Street, Amarillo, Tex. 79101.

No. MC 106914 (Sub-No. 22 TA) (Correction), filed December 27, 1968, published *FEDERAL REGISTER*, issue of January 8, 1969, and republished as corrected this issue. Applicant: RUTH FINE, EXECUTRIX, ESTATE OF HAROLD FINE, DECEASED, doing business as AMERICAN CARTAGE COMPANY, 1575 Fairfield Avenue, Cleveland, Ohio 44113. Applicant's representative: Ronald Koplow (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles such as bars, plates, sheets in coils, and sheets*, between points in Liverpool Township, Medina County, Ohio, and Detroit, Mich., and points in the Detroit commercial zone, for 180 days. Note: The purpose of this republication is to show that applicant states it intends to tack this proposed authority with that now held in No. MC 106914 except from or to points in Pennsylvania. Supporting shipper: Independent Steel Co., 900 Aetna Road, Cleveland, Ohio 44105. Send protests to: G. J. Baccell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 111045 (Sub-No. 66 TA), filed January 24, 1969. Applicant: REDWING CARRIERS, INC., Post Office Box 426, 7809 Palm River Road, Tampa, Fla. 33601. Applicant's representative: J. V. McCoy (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Chemicals*, in bulk, in tank vehicles, from Tampa, Fla., to points in Georgia; and (2) *Contaminated, rejected, and off-grade chemicals*, in bulk, in tank vehicles, from Tampa, Fla., to Charleston, W. Va., Texas City, Tex., and Taft, La. for 180 days. Supporting shipper: Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 114211 (Sub-No. 119 TA), filed January 24, 1969. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, 305 Whitney Road, Waterloo, Iowa (50701), Waterloo, Iowa 50704. Applicant's representative: Richard A. Kerwin, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements and machinery*; (2) *tractors (except those with vehicle beds, bed frames, or fifth wheels)*, in-

cluding lawn or garden tractors and tractors and tractor excavating, grading, or loading attachments, combined; (3) *attachments and accessories for, and equipment designed for use with, the foregoing articles*; and (4) *twine*, from West Chicago, Ill., to points in the States of Arkansas, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas, for 180 days. Supporting shipper: International Harvester Co., 401 North Michigan Avenue, Chicago, Ill. 60611. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 114897 (Sub-No. 82 TA), filed January 24, 1969. Applicant: WHITFIELD TANK LINES, INC., 300-316 North Clark Road, Post Office Drawer 9897, El Paso, Tex. 79989. Applicant's representative: J. P. Rose (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from Hayden, Ariz., to Santa Rita, N. Mex., for 150 days. Supporting shipper: L. J. Souren, Director of Traffic, Kennecott Copper Corp., Metal Mining Division, 161 East 42d Street, New York, N.Y. 10017. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, 918 Tyler Street, Amarillo, Tex. 79101.

No. MC 116073 (Sub-No. 91 TA), filed January 24, 1969. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Box 601, Moorhead, Minn. 56560. Applicant's representative: John C. Barrett, 1825 Main Avenue, Moorhead, Minn. 56560. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, and *buildings*, complete or in sections, from Nampa, Idaho, to points in Oregon, Washington, Nevada, Idaho, Montana, Utah, Wyoming, and Colorado for 180 days. Supporting shipper: Fleetwood Trailer Co., of Idaho, Inc., 112 Industrial Road, Nampa, Idaho 83651. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1621 South University Drive, Room 213, Fargo, N. Dak. 58102.

No. MC 127761 (Sub-No. 2 TA), filed January 24, 1969. Applicant: ELMER MONK, doing business as MONK'S EXPRESS, 7561 Wooster Pike, Cincinnati, Ohio 45227. Applicant's representative: Theodore K. High, 2208 Central Trust Tower, Cincinnati, Ohio 45202. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Iron or steel wire*, from Johnstown, Pa., Sparrow's Point, Md., Detroit, Mich., and Chicago, Waukegan, Joliet, and Alton, Ill., to Fairfax, Hamilton County, Ohio, for 180 days. Supporting shipper: Senco Products, Inc., 3717 Jonlen Drive, Fairfax, Cincinnati, Ohio 45227. Send protests to: Emil P. Schwab, District Supervisor, Interstate Commerce

Commission, Bureau of Operations, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 133230 TA (Republication), filed October 15, 1968, published *FEDERAL REGISTER*, issue of October 23, 1968, and republished this issue. Applicant: ABC MOVING & STORAGE, INC., Stantonburg Road, Post Office Box 619, Greenville, N.C. 27834. Applicant's representative: Alan F. Wohlstetter, 1 Faragut Square South, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in North Carolina on and east of U.S. Highways 301 and 117, restricted to the transportation of traffic having a prior or subsequent movement in containers beyond said points, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic, for 180 days. Note: The purpose of this republication is to show that applicant intends to operate between points in North Carolina on and east of U.S. Highways 301 and 117. Supporting shipper: Home-Pack Transport, Inc., 57-48 49th Street, Maspeth, N.Y. 11378. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 10885, Cameron Village Station, Raleigh, N.C. 27605.

No. MC 133417 TA, filed January 23, 1969. Applicant: JOSEPH G. KENNELLY, JR., doing business as KENNELLY MOVING AND STORAGE, 2720 Myrtle Avenue North, Jacksonville, Fla. 32206. Applicant's representative: Sol. H. Proctor, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used household goods*, restricted to the transportation of shipments both (1) moving on the through bills of lading of a freight forwarder operating under the exemption provisions of section 402(b) (2) of the Interstate Commerce Act, as amended; and (2) having an immediately prior or subsequent out-of-State line haul movement by rail, motor, water, or air, between (1) points in Florida and (2) points in Camden and Glynn Counties, Ga., on the one hand, and, on the other, points in Florida, for 180 days. Supporting shippers: American Red Ball Transit Co., Inc., 200 Illinois Building, Indianapolis, Ind. 46204; Smyth Worldwide Movers, Inc., 11616 Aurora Avenue North, Seattle, Wash. 98133. Send protests to: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 400 West Bay Street, Box 35008, Jacksonville, Fla. 32202.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 69-1524; Filed, Feb. 5, 1969; 8:47 a.m.]



[Notice 288]

# MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 3, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71034. By order of January 27, 1969, the Motor Carrier Board approved the transfer to Abraham Lustberg and Martin Lustberg, doing business as Alco Express Co., North Bergen, N.J., the operating rights in certificate Nos. MC-11618 and MC-11618 (Sub-No. 4) issued April 29, 1958, and July 22, 1965, respectively, to Abraham Lustberg, doing business as Alco Express, North Bergen, N.J., authorizing the transportation of: Wearing apparel and various accessories, between points in New York and New Jersey. Herman B. J. Weckstein, practitioner, 60 Park Place, Newark, N.J. 07102.

No. MC-FC-71047. By order of January 27, 1969, the Motor Carrier Board approved the transfer to Newburgh Moving & Storage, Inc., Newburgh, N.Y., of certificates Nos. MC-6870, MC-6870 (Sub-No. 1), and MC-6870 (Sub-No. 2), issued June 9, 1941, June 17, 1944, and July 23, 1954, respectively, to John Mur-

taugh, doing business as Murtaugh's Moving & Trucking, Millbrook, Mass., authorizing the transportation in interstate or foreign commerce, of lime, from specified points in Massachusetts and Connecticut to Millbrook, N.Y., and points within 30 miles of Millbrook; fertilizer, from Carteret, N.J., to Millbrook, N.Y., and points within 30 miles of Millbrook; fruit, between Millbrook, N.Y., and points within 30 miles of Millbrook, on the one hand, and, on the other, Newark, N.J., and points within 10 miles of Newark; livestock, between Millbrook, N.Y., and points within 30 miles of Millbrook, on the one hand, and, on the other, Jersey City, N.J., and points within 10 miles of Jersey City; household goods, between Millbrook, N.Y., and points within 30 miles thereof, on the one hand, and, on the other, points in New York, Massachusetts, Connecticut, New Jersey, and Pennsylvania; anthracite coal, from Hazleton, and specified points and areas in Pennsylvania, to points in specified townships in Dutchess County, N.Y.; and household goods, between Millbrook, N.Y., and points within 30 miles thereof, on the one hand, and, on the other, points in Vermont, New Hampshire, and Maine. John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207; attorney for applicants.

No. MC-FC-71054. By order of January 27, 1969, the Motor Carrier Board approved the transfer to Ralph L. Harris, Florence L. Harris, Glenn M. Harris, and Roberta S. Harris, a partnership, doing business as Harris Transportation Co., Victorville, Calif., of certificate of registration No. MC-121300 (Sub-No. 1), issued October 8, 1964, to Coast Cartage Co., Los Angeles, Calif., authorizing the transportation of general commodities, with certain exceptions, pursuant to certificate of public convenience and necessity granted in Decision No. 62906, dated December 5, 1961, by the Public Utilities

Commission of the State of California. R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017; attorney for applicants.

No. MC-FC-71055. By order of January 27, 1969, the Motor Carrier Board approved the transfer to Coast Cartage Co., a corporation, Los Angeles, Calif., of certificate No. MC-38536, issued September 27, 1965, to Western Truck Leasing Co., doing business as Western Transportation Co., a corporation, Los Angeles, Calif., authorizing the transportation of: General commodities, with specified exceptions, between points in the Los Angeles commercial zone and the Los Angeles Harbor commercial zone as defined by the Commission in Los Angeles, Calif., commercial zone, 3 M.C.C. 248, on the one hand, and, on the other, points in a specified portion of California; between points in the Los Angeles commercial zone as defined in 3 M.C.C. 248; and between points in the Los Angeles commercial zone, on the one hand, and, on the other, those in the Los Angeles Harbor commercial zone, as defined in 3 M.C.C. 248. R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017; attorney for applicants.

No. MC-FC-71061. By order of January 24, 1969, the Motor Carrier Board approved the transfer to Thomas D. Rogers, Manasquan, N.J., of the certificate in No. MC-3968, issued November 23, 1966, to Jean J. Brooks, doing business as T. & J. Brooks Express, Manasquan, N.J., authorizing the transportation of flowers and florist supplies, over regular routes, between Brielle, N.J., and New York, N.Y. John M. Zachara, Post Office Box Z, Paterson, N.J. 07509; representative for applicant.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-1525; Filed, Feb. 5, 1969;  
8:47 a.m.]

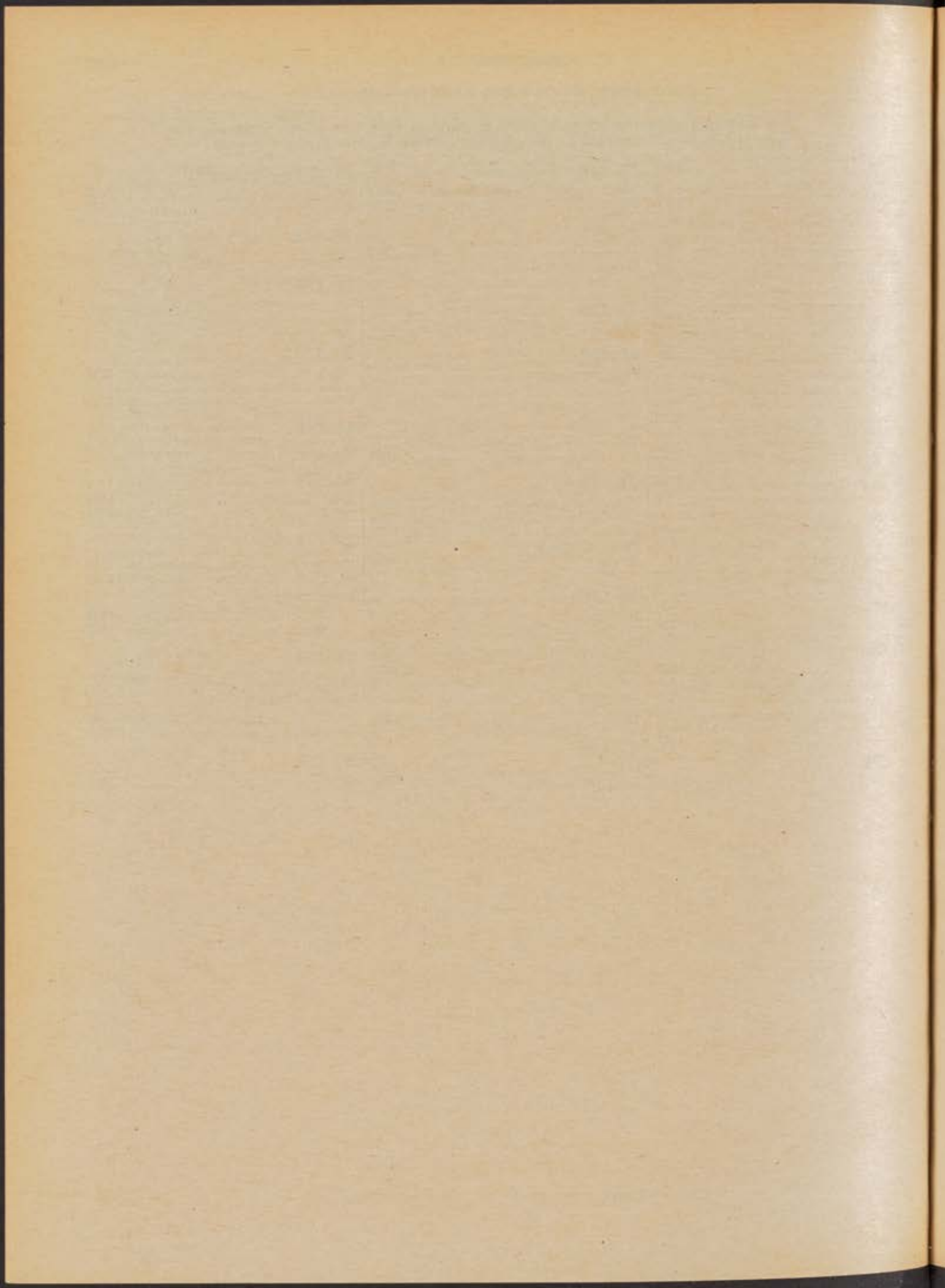


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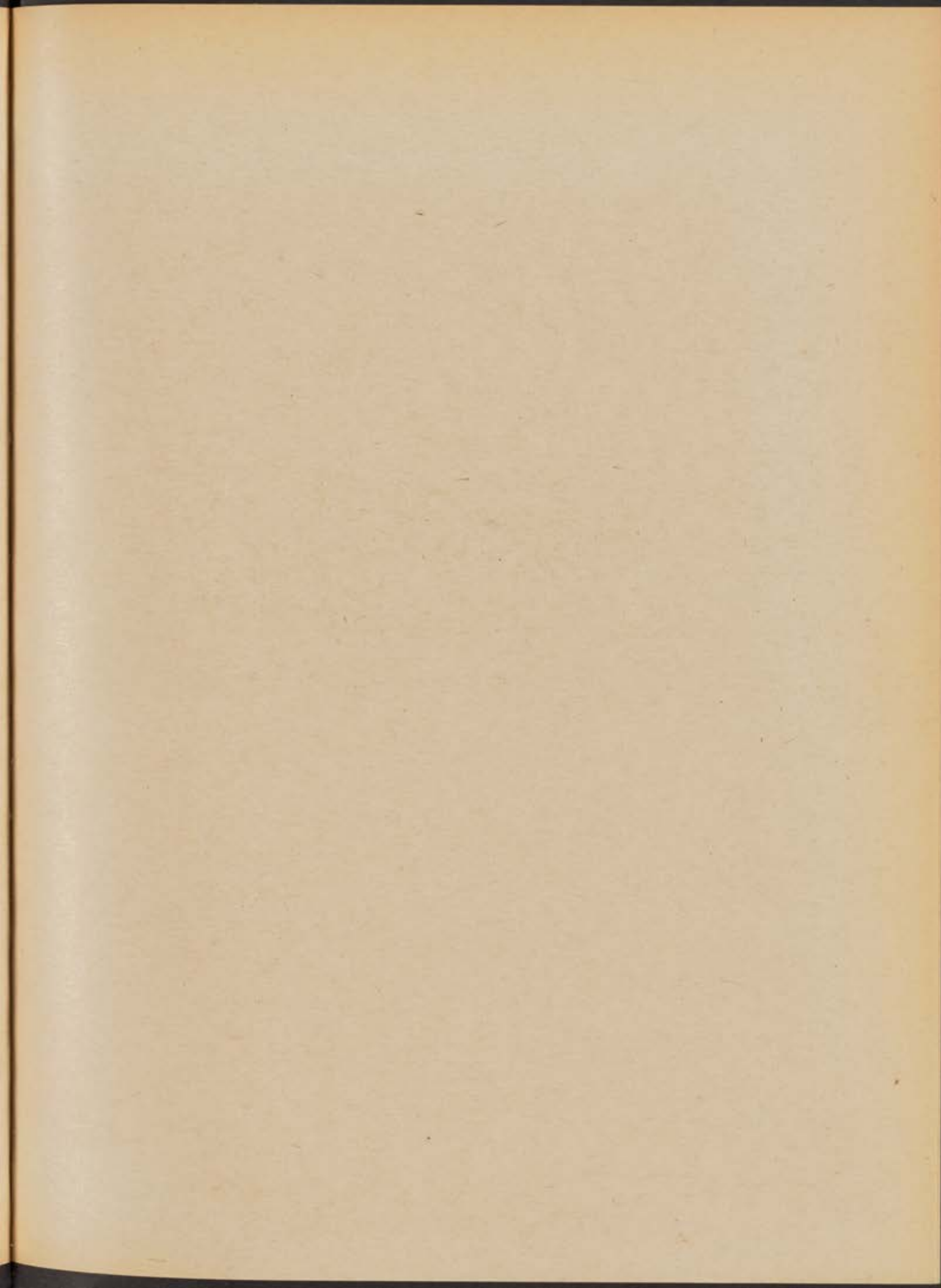
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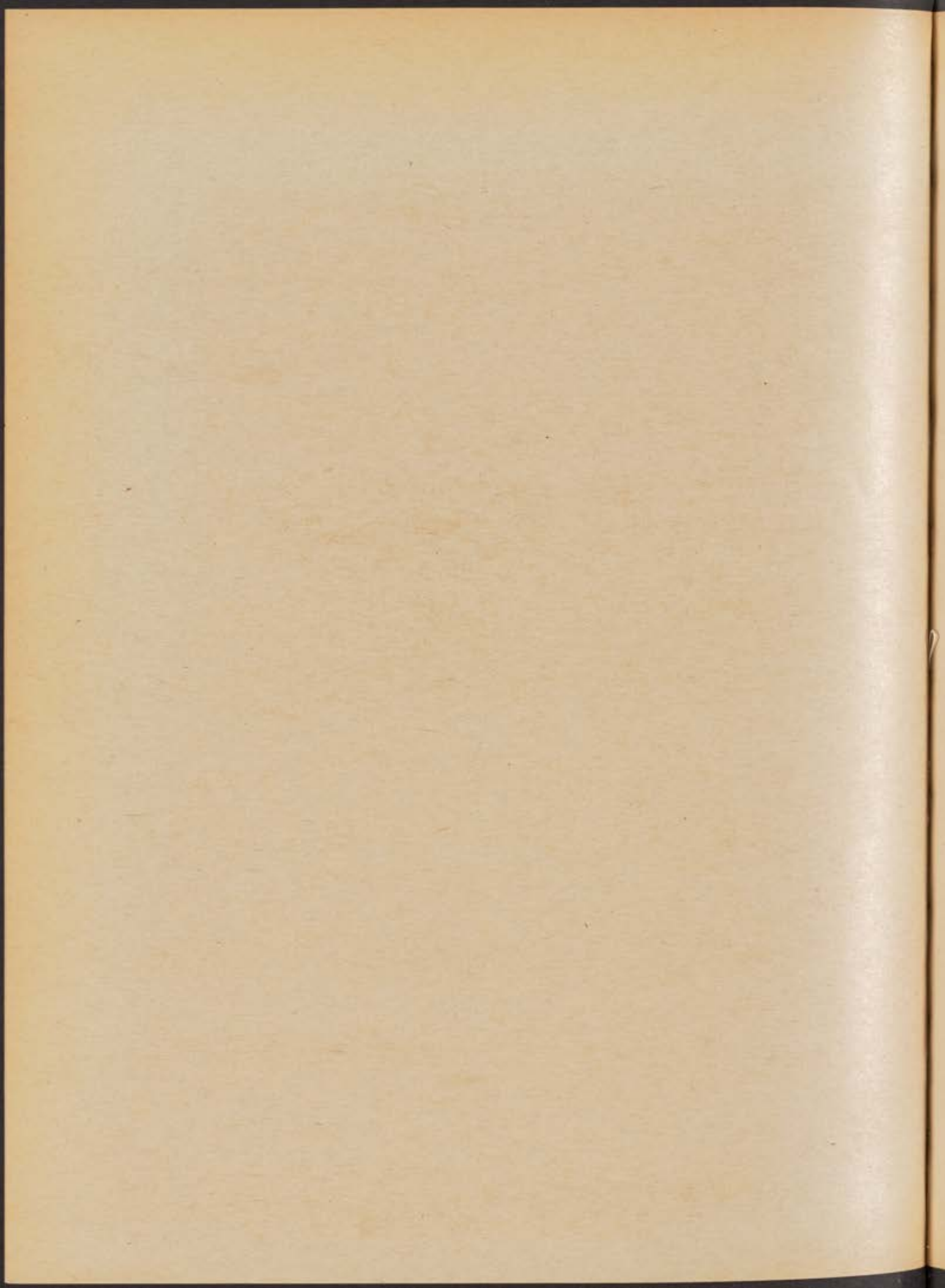




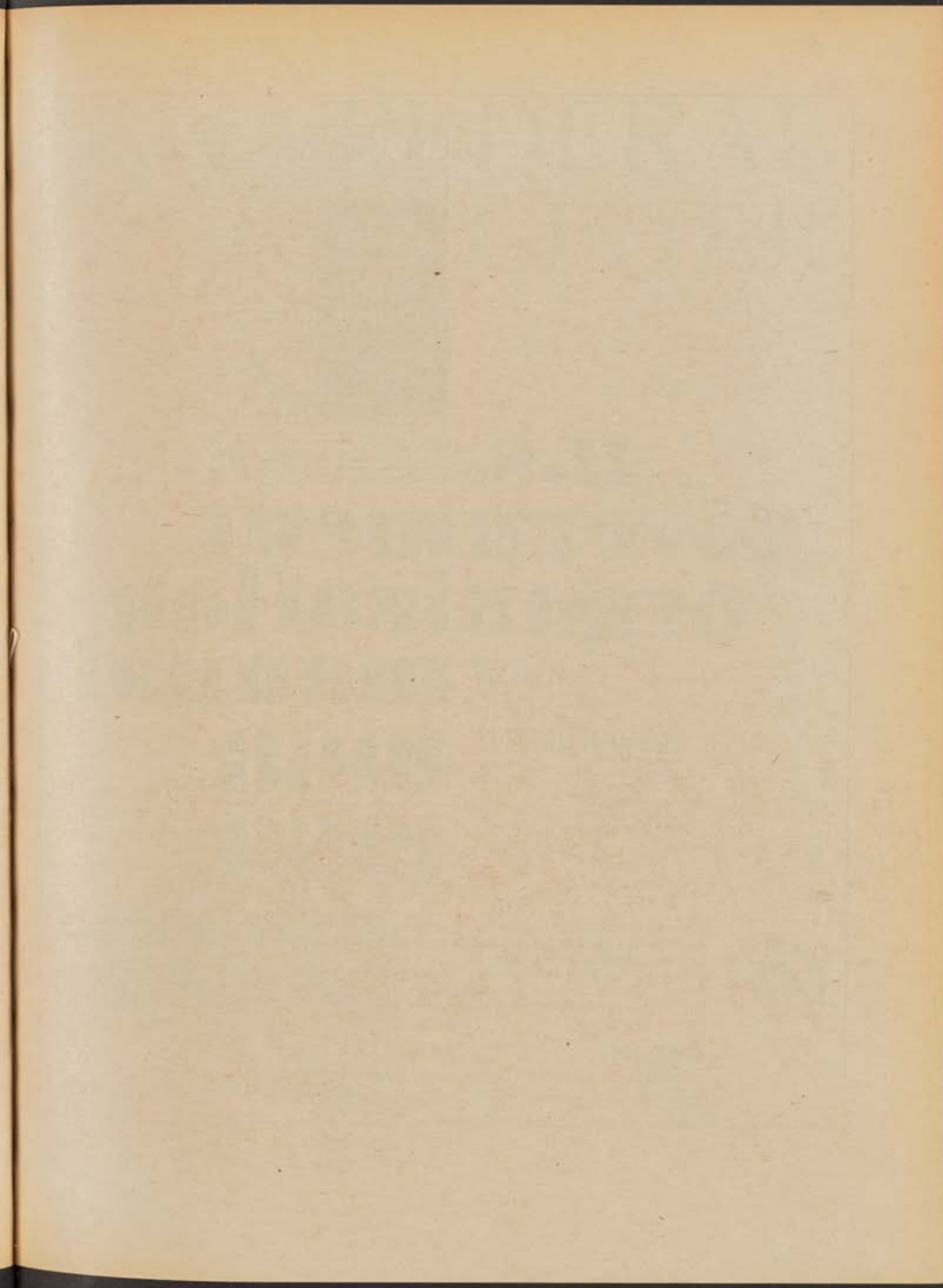




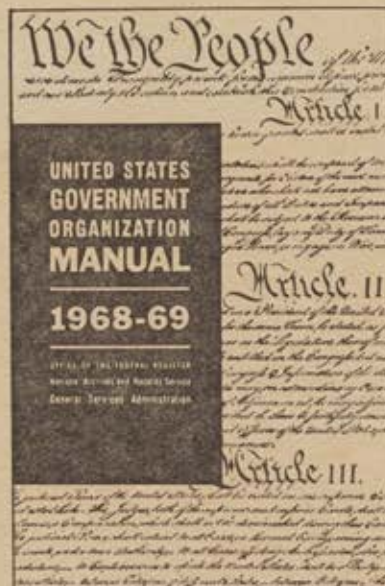












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