

# FEDERAL REGISTER

VOLUME 34 • NUMBER 78

Thursday, April 24, 1969 • Washington, D.C.

Pages 6833-6902

**Agencies in this issue—**

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Army Department  
Atomic Energy Commission  
Business and Defense Services Administration  
Civil Aeronautics Board  
Civil Service Commission  
Coast Guard  
Consumer and Marketing Service  
Federal Aviation Administration  
Federal Communications Commission  
Federal Crop Insurance Corporation  
Federal Highway Administration  
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Just Released

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*[A Cumulative checklist of CFR issuances for 1969 appears in the first issue of the Federal Register each month under Title 1]*

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Washington, D.C. 20402



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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Department of Health, Education, and Welfare

Section 213.3316 is amended to show that a second position of Confidential Assistant to the Under Secretary is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (10) of paragraph (a) of § 213.3316 is amended as set out below.

#### § 213.3316 Department of Health, Education, and Welfare.

(a) *Office of the Secretary.* \* \* \*

(10) Two Confidential Assistants to the Under Secretary.

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 69-4909; Filed, Apr. 23, 1969; 8:49 a.m.]

#### PART 213—EXCEPTED SERVICE

##### Department of Health, Education, and Welfare

Section 213.3316 is amended to show that a fourth position of Assistant to the Secretary for Special Programs is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (23) of paragraph (a) of § 213.3316 is amended as set out below.

#### § 213.3316 Department of Health, Education, and Welfare.

(a) *Office of the Secretary.* \* \* \*

(23) Four Assistants to the Secretary for Special Programs.

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 69-4910; Filed, Apr. 23, 1969; 8:49 a.m.]

#### PART 213—EXCEPTED SERVICE

##### Small Business Administration

Section 213.3332 is amended to show that the position of Confidential As-

sistant to the Assistant Administrator for Congressional and Public Affairs is excepted under Schedule C, and that the position of Advisory Councils Officer replaces the position of Special Assistant to the Administrator for Advisory Councils in Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (g) is amended and paragraph (1) is added to § 213.3332 as set out below.

#### § 213.3332 Small Business Administration.

(g) One Advisory Councils Officer.

(1) One Confidential Assistant to the Assistant Administrator for Congressional and Public Affairs.

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 69-4911; Filed, Apr. 23, 1969; 8:49 a.m.]

## Title 14—AERONAUTICS AND SPACE

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

[Airspace Docket No. 69-WE-20]

#### PART 73—SPECIAL USE AIRSPACE

##### Designation of Temporary Restricted Area

On April 3, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 6050) stating that the Federal Aviation Administration is considering an amendment to Part 73 of the Federal Aviation Regulations which would designate a temporary restricted area overlying the current Camp Roberts, Calif., Restricted Area R-2504.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective June 16, 1969, as hereinafter set forth.

Section 73.25 (34 F.R. 4814) is amended by adding R-2504A as follows:

R-2504A CAMP ROBERTS, CALIF.

Boundaries: Beginning at lat. 35°42'18" N., long. 120°47'55" W.; to lat. 35°42'18" N., long. 120°47'20" W.; to lat. 35°42'58" N.,

long. 120°45'33" W.; to lat. 35°46'38" N., long. 120°44'38" W.; to lat. 35°47'18" N., long. 120°44'45" W.; to lat. 35°47'54" N., long. 120°45'49" W.; to lat. 35°49'10" N., long. 120°45'40" W.; to lat. 35°51'00" N., long. 120°46'25" W.; to lat. 35°51'11" N., long. 120°47'55" W.; to lat. 35°48'50" N., long. 120°49'58" W.; to lat. 35°46'00" N., long. 120°49'55" W.; to lat. 35°44'03" N., long. 120°48'08" W.; to lat. 35°43'08" N., long. 120°49'00" W.; to lat. 35°42'44" N., long. 120°48'48" W.; to point of beginning.

Designated altitudes: 5,000 feet MSL to 10,000 feet MSL.

Time of designation: 0600 to 2400 P.s.t., Monday through Friday, June 16 through July 25, 1969.

Controlling agency: FAA, Oakland ARTC Center.

Using agency: Commanding General, Fort Ord, Calif.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 21, 1969.

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

[F.R. Doc. 69-4925; Filed, Apr. 23, 1969; 8:51 a.m.]

#### PART 73—SPECIAL USE AIRSPACE

##### Alteration of Restricted Areas

The purpose of these amendments to Part 73 of the Federal Aviation Regulations is to change the time of designation of Restricted Area R-4305, Lake Superior, Minn. (now in central time zone) and R-6403, Tooele, Utah (now in Pacific time zone).

Time zone boundary changes, effective April 27, 1969, will place R-4305 in the eastern time zone and R-6403 in the mountain time zone.

Since these amendments are editorial in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 1, 1969, as hereinafter set forth.

1. In § 73.43 (34 F.R. 4833), Restricted Area R-4305, Lake Superior, Minn., is amended by deleting "Time of designation. 0001 c.s.t. Monday to 2400 c.s.t. Friday." and substituting therefor "Time of designation. 0001 local time Monday to 2400 local time Friday."

2. In § 73.64 (34 F.R. 4847) Restricted Area R-6403, Tooele, Utah, is amended by deleting "Time of designation. 0800 to 2000 P.s.t." and substituting therefor "Time of designation. 0800 to 2000 local time."

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348, sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))



Issued in Washington, D.C., on April 21, 1969.

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

[P.R. Doc. 69-4926; Filed, Apr. 23, 1969;  
8:51 a.m.]

## Chapter II—Civil Aeronautics Board

### SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. PR-109; Amdt. 26]

## PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

### Dismissal of Application Following Denial of Motion To Consolidate

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 21st day of April, 1969.

On January 13, 1969, the Board issued a notice of proposed rule making (PDR-29, ODR-5, 34 F.R. 625, Jan. 16, 1969) to amend Part 302 to provide for dismissal under certain conditions of an application filed under section 401 of the Federal Aviation Act, as amended, where a petition for consolidation has been denied, and for refund of filing fees.<sup>1</sup>

Rule 12(d) of the Board's procedural regulations now provides for dismissal of remaining portions of section 401 applications partially designated for hearing or consolidated hearing. The proposed rule would provide, additionally, for dismissal of an application where a motion for consolidation is denied in all respects, and the application was filed after issuance of a Board order of investigation or an order or notice setting an application for hearing. The purpose of the amendment is to assist in clearing the Board's docket of stale cases, without adversely affecting any applicant's rights, since dismissal would be without prejudice to refiling.

Comments were received from Airlift International, Inc., and Pan American World Airways, Inc. For the reasons hereinafter set forth, we have decided to adopt the rule as proposed.

Pan American asks that the Board not adopt the proposed amendment. Pan American disagrees with the conclusion in the Board's explanatory statement that when consolidation is denied "there may be little likelihood of a separate proceeding on the application within the near future." According to Pan American, past experience indicates that separate proceedings involving excluded applications "are likely to result." However, in support of its conclusion, Pan American cites only a few cases, and the Board believes that there are a sufficient number of instances in which excluded applications are not the subject of further proceedings to justify the proposed rule.

Airlift does not oppose the proposed amendment, but recommends that the language be revised to preclude dismissal

where the applicant specifically requests continuation in the event consolidation is denied. We will not adopt this suggestion, because we believe that the purpose of the proposed amendment would be frustrated by the routine inclusion of such requests in applications. Nor do we believe, as stated by Airlift, that there is any significant expense entailed in "re-drafting and re-filing" an application previously filed.

Accordingly, the Civil Aeronautics Board hereby amends § 302.12 of its procedural regulations (14 CFR Part 302) effective May 23, 1969, by adding a new paragraph (e) as follows:

#### § 302.12 Consolidation of proceedings.

(e) *Dismissal of applications denied consolidation.* When the Board denies, in its entirety, consolidation of an application filed under section 401 of the Act, the Board will dismiss without prejudice such application if the application was filed after commencement of the proceeding into which the application was sought to be consolidated. For purposes of this paragraph, a proceeding shall be deemed to commence upon the issuance of a Board order of investigation, or an order or notice setting an application for hearing.

(Sec. 204(a), Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 69-4927; Filed, Apr. 23, 1969;  
8:51 a.m.]

### SUBCHAPTER E—ORGANIZATION REGULATIONS

[Reg. OR-37; Amdt. 5]

## PART 389—FEES AND CHARGES FOR SPECIAL SERVICES

### Refund of Fees Following Dismissal of Application After Denial of Motion To Consolidate

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 21st day of April, 1969.

In regulation PR-109, issued concurrently herewith, Part 302 is amended to require dismissal of applications under section 401 of the Act where a motion to consolidate is denied in all respects. The amendment herein allows for the refund of fees following dismissal comparable to the refund applicable to dismissal under the stale application rule of § 302.911 of this chapter.

Accordingly, the Board hereby amends § 389.25(a) (1) of the Organization Regulations (14 CFR Part 389) effective May 23, 1969, as follows:

#### § 389.25 Schedule of filing and license fees.

(a) *Certificates of public convenience and necessity.* (1) The filing fee for an application, under section 401 of the Act, (1) for a certificate of public convenience

and necessity to engage in air transportation, or (ii) to amend, modify, renew, or transfer a certificate or to abandon a route or a part thereof, is \$200. The fee will be refunded if the application is withdrawn prior to hearing, or is dismissed under the stale application rule of § 302.911 of this chapter, or is dismissed pursuant to the denial of consolidation rule of § 302.12(e) of this chapter.

(Sec. 204(a), Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 69-4928; Filed, Apr. 23, 1969;  
8:51 a.m.]

## Title 25—INDIANS

### Chapter III—Indian Claims Commission

## PART 503—GENERAL RULES OF PROCEDURE

### Miscellaneous Amendments

Section 503.1, Chapter III of Title 25, the General Rules of Procedure of the Indian Claims Commission, is hereby amended by adding the following subsection:

#### § 503.1 Petitioners.

(e) Parties filing claims before the Commission shall be designated as the petitioner or plaintiff and the United States shall be designated as the respondent or defendant.

Section 503.11, Chapter III of Title 25, the General Rules of Procedure of the Indian Claims Commission, is hereby amended by adding the following rule on motion for summary judgment to subsection (c) thereof:

#### § 503.11 Defenses and objections.

(c) (1) *Motion for summary judgment—(i) For plaintiff.* A party seeking to recover on a claim or counterclaim may, at any time after a responsive pleading or a dispositive motion has been filed by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof.

(ii) *For defending party.* A party against whom a claim or counterclaim is asserted may at any time move with or without supporting affidavits for a summary judgment in his favor as to all or any part thereof.

(iii) *Motion and proceedings thereon.* After a motion for summary judgment has been filed and after expiration of the time allowed for a response thereto or a reply to the response, such motion may be assigned to the calendar. The judgment sought shall be rendered if the pleadings, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any

<sup>1</sup> Issued concurrently with this rule is OR-37 amending Part 389 providing for refund of filing fees.



material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

(iv) *Case not fully adjudicated on motion.* If, on motion under this rule, judgment is not rendered upon the whole case or for all the relief asked and a trial is necessary, the Commission may ascertain (if it is practicable to do so upon the basis of examining the pleadings and the evidence before it and interrogating counsel) what material facts exist without substantial controversy and what material facts are in good faith controverted. It shall thereupon make an order specifying the facts that appear to be without substantial controversy (including the extent to which the amount of damages or any relief is not in controversy), and directing such further proceedings in the action as are just. Upon the trial of the action, the facts so specified shall be deemed to be established, and the trial shall be conducted accordingly.

(v) *Form of affidavits; further testimony.* Supporting and opposing affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. Sworn or certified copies of all papers or parts thereof referred to in an affidavit shall be attached thereto or served therewith. The Commission may permit affidavits to be supplemented or opposed by depositions or by further affidavits. When a motion for summary judgment is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of his pleading, but his response, by affidavits or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue for trial. If he does not so respond, summary judgment, if appropriate, will be entered against him.

(vi) *When affidavits are unavailable.* Should it appear from the affidavit of a party opposing the motion that he cannot, for reasons stated present by affidavit facts essential to justify his opposition, the Commission may deny the motion for summary judgment, or may order a continuance to permit affidavits to be obtained or depositions to be taken or discovery to be had, or may make such other order as is just.

§ 503.34b [Amended]

Section 503.34b(b), Chapter III of Title 25, the General Rules of Procedure of the Indian Claims Commission, is hereby amended by deleting the word "seven" in the first line of said section and substituting therefor the word "ten".

Section 503.34b(c), Chapter III of Title 25, the General Rules of Procedure of the Indian Claims Commission, is hereby amended as follows:

Notice of filing of such petitions shall be given by the Clerk to the Attorney General, to the chief or other head officer of the plaintiff, if there be one, otherwise to the plaintiff in care of the agency superintendent under whose jurisdiction the plaintiff may be, to the Commissioner of Indian Affairs, to the attorney of record for plaintiff, and to such agency superintendent. The notice of application sent to the plaintiff shall be accompanied by a copy of the petition, or petitions, as the case may be, and the Commission may in its discretion, or for good cause shown, schedule a hearing on such petition, or petitions.

JOHN T. VANCE,  
Chairman.

JEROME K. KUYKENDALL,  
Commissioner.

RICHARD W. YARBOROUGH,  
Commissioner.

MARGARET H. PIERCE,  
Commissioner.

THEODORE R. MCKELDIN,  
Commissioner.

[F.R. Doc. 69-4875; Filed, Apr. 23, 1969;  
8:46 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

#### SUBCHAPTER B—CLAIMS AND ACCOUNTS

#### PART 536—CLAIMS AGAINST THE UNITED STATES

#### Claims Based on Negligence Under Federal Tort Claims Act

In § 536.29, paragraph (d) is revised; subparagraph (18) of paragraph (h) is revised; subparagraphs (3) and (4) of paragraph (i) are revoked; in paragraph (j), new subparagraph (2)(iii) is added, and subparagraphs (4) and (6) are revised; paragraph (o) is revised; paragraph (q) is revised; and paragraph (s) is revised, as follows:

§ 536.29 Claims based on negligence of military personnel or civilian employees under the Federal Tort Claims Act.

(d) *Claims payable.* Unless otherwise prescribed, claims for death, personal injury, or damage to or loss of property (real or personal) are payable under this section when the injury or damage is caused by negligent or wrongful acts or omissions of military personnel or civilian employees of the Department of the Army or civilian employees of the Department of Defense while acting within the scope of their employment under circumstances in which the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred. As to claims incidents occurring on or after 1 January 1969, an Army National Guard technician employed under subsection 709(a)

of title 32, United States Code, is an employee of the Department of the Army (Public Law 90-486, 13 August 1968, 82 Stat. 755).

(h) *Claims not payable.* . . .

(18) Falls under—

(i) The Federal Employees' Compensation Act (5 U.S.C. 8101-8150) which is an exclusive remedy against the United States; or

(ii) Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, 33 U.S.C. 901) or other workmen's compensation laws or regulations, including local law or custom, in cases where contribution is made or insurance premiums paid directly or indirectly by the United States on behalf of the injured employee. If, in the opinion of an approving or settlement authority the claim should be considered payable, e.g., the injuries did not result from a normal risk of employment or adequate compensation is not payable under workmen's compensation laws, the file will be forwarded with recommendations through claims channels to the Chief, U.S. Army Claims Service, who may authorize payment of an appropriate award. The Chief, U.S. Army Claims Service, also may specify that all or any part of any compensation received by the claimant from workmen's compensation sources as above will be deducted from the award to claimant. The claim of an insurance carrier subrogee who has received premiums paid directly or indirectly by the United States on behalf of the injured employee, however, is not allowable.

(i) *Claims under other laws and sections.* . . .

(3) [Revoked]

(4) [Revoked]

(j) *Procedures.* . . .

(2) *Claim.* . . .

(iii) A copy of each claim which appears to be of a type that must be brought to the attention of the Attorney General (par. (q) of this section), or one in which settlement may exceed \$5,000, will be forwarded immediately to the Chief, U.S. Army Claims Service. The U.S. Army Claims Service, which has settlement authority for such claims, is responsible for the monitoring and settlement of such claims and will be kept informed of the status of the investigation and processing thereof. Direct liaison and correspondence between the U.S. Army Claims Service and the field claims authority or investigator is authorized on all claims matters, and assistance will be furnished as required.

(4) *Acknowledgment of claim.* The claimant and his attorney will be kept informed by personal contact, telephonic contact, or mail of the receipt of his claim and the status of the claim. Formal acknowledgment of the claim in writing is required only where the claim is likely to result in litigation. In this event, the letter of acknowledgment will state the date of receipt of the claim by the first agency of the Army receiving the claim.



Litigation may be deemed likely in any claim in excess of \$1,000 or in which the issues involved are such that litigation may ensue.

(6) *Advice to claimant.* (i) A full explanation of claims procedures and of the rights of the claimant will be made to the extent necessitated by the amount and nature of the claim.

(ii) In a case where litigation is likely, as in subparagraph (4) of this paragraph, or where this course of action is preferred by the claimant and which appears to be a proper case for administrative settlement, the claimant will be advised as to the advantages of administrative settlement. If the claim is within the jurisdiction of a higher settlement authority, the claim will be discussed with such authority prior to the furnishing of such advice. The claimant should be familiarized with all aspects of administrative settlement procedures including the administrative channels through which his claim must be processed for approval. He may be advised that administrative process can result in more expeditious processing, whereas litigation may take considerable time, particularly in jurisdictions with crowded dockets. If appropriate, he may be informed that a tentative settlement can be reached for any amount above \$25,000, subject to approval by the Attorney General. He should be advised that administrative filing of the claim protects him under the statute of limitations for purposes of litigation; suit can be filed within 6 months after the date of mailing of notice of final denial by the Department of the Army, thus potentially allowing negotiations to continue indefinitely. An attorney representing a claimant should be advised of the limitation on fees for purposes of administrative settlement (20 percent) and litigation (25 percent). The attorney may also be advised that there is no jury trial under the Federal Tort Claims Act.

(c) *Delegation of authority.* (1) *Settlement authority.* (i) Subject to approval by the Attorney General of any payment in excess of \$25,000 and the limitations contained in paragraph (q) of this section, the following officers are delegated authority to adjust, determine, compromise, and settle claims cognizable under this regulation:

(a) The Judge Advocate General.  
(b) The Assistant Judge Advocate General.

(c) The Chief, U.S. Army Claims Service, and all officers of the Judge Advocate General's Corps assigned to that service, subject to such limitations as may be imposed by The Judge Advocate General or the Chief, U.S. Army Claims Service.

(ii) Subject to such limitations as may be imposed by The Judge Advocate General, the Commander of the staff judge advocate of each of the following commands is delegated authority to—

(a) Approve and pay in full, or in part, or disapprove, claims presented for \$5,000 or less, and

(b) Compromise and pay claims regardless of the amount claimed provided an award of \$5,000 or less is accepted by claimant in full satisfaction and final settlement of the claim.

(1) Each of the numbered Armies within the continental United States.

(2) Military District of Washington, U.S. Army.

(3) U.S. Army Forces Southern Command.

(4) U.S. Army, Alaska.

(5) U.S. Army, Pacific.

(iii) Subject to such limitations as may be imposed by the staff judge advocate of the Command, the chief of a command claims service is delegated authority to:

(a) Approve and pay in full or in part, or disapprove, claims presented for \$2,500 or less; and

(b) Compromise and pay claims regardless of the amount claimed provided an award of \$2,500 or less is accepted by claimant in full satisfaction and final settlement of the claim.

(2) *Approving authority.* (i) Each of the following is delegated authority to:

(a) Approve and pay in part or in full claims presented for \$2,500 or less.

(b) Compromise and pay claims regardless of the amount claimed provided an award of \$2,500 or less is accepted by the claimant in full satisfaction and final settlement of the claim.

(1) The commander or the staff judge advocate of any command authorized to exercise general courts-martial jurisdiction.

(2) An officer of the Judge Advocate General's Corps assigned to a maneuver claims service or a disaster claims office when designated by the Chief, U.S. Army Claims Service, or the commander of a command listed in § 536.4a, subject to such limitations as the designating authority may prescribe.

(3) The claims judge advocate of any command authorized to exercise general courts-martial jurisdiction, subject to such restrictions as may be imposed by the command staff judge advocate.

(2) Each of the following is delegated authority to:

(a) Approve and pay in full or in part claims presented for \$1,000 or less, and

(b) Compromise and pay claims regardless of the amount claimed, provided an award of \$1,000 or less is accepted by claimant in full satisfaction and final settlement of the claim.

(1) The commanding officer of a command not authorized to exercise general courts-martial jurisdiction but having a judge advocate on his staff, or his judge advocate.

(2) A district or division engineer, Corps of Engineers, or the Chief of Engineers.

(3) *Special delegation of authority.* The Judge Advocate General may delegate settlement authority or approving

authority to other authorities where the need for such authority can be demonstrated. Requests for delegation of authority will be forwarded to The Judge Advocate General, ATTN: Chief, U.S. Army Claims Service, Fort Holabird, Md. 21219, through command channels, with justification and recommendations.

(q) *Consultation with the Department of Justice.* (1) Consultation with the Department of Justice is required in every case where, in the opinion of the Federal agency:

(i) A new precedent or a new point of law is involved;

(ii) A question of policy is or may be involved;

(iii) The United States is or may be entitled to indemnity or contribution from a third party, and the agency is unable to adjust the third party claim;

(iv) The total amount to be paid in all claims arising out of the same transaction will or may exceed \$25,000;

(v) For any reason, the compromise of a particular claim, as a practical matter, will control the disposition of related claims in which the amount to be paid may exceed \$25,000; or

(vi) Where the United States, an employee, agent, or cost-plus contractor is involved in litigation based on a claim arising out of the same transaction.

Field approving and settlement authorities receiving such claims will forward them through claims channels to the Chief, U.S. Army Claims Service.

(2) *Referral to Department of Justice.* Claims requiring consultation with, or approval by, the Department of Justice, will be forwarded by the Chief, U.S. Army Claims Service through The Judge Advocate General to the Assistant Attorney General, Civil Division, Department of Justice, Washington, D.C. 20530, in accordance with 28 CFR 14.7, Attorney General's Regulations.

(s) *Litigation.* Upon filing of suit, the investigative report will be prepared and distributed as required by paragraph 8, AR 27-40. The original claims file will be an exhibit to this report. A copy of the letter of transmittal will be furnished the Chief, U.S. Army Claims Service. No documents will be provided the claimant subsequent to the filing of suit.

[C2, AR 27-22, Jan. 29, 1969]

(Sec. 402; 60 Stat. 842, sec. 2412, 80 Stat. 306; 28 U.S.C. 2671-2680)

For the Adjutant General.

HAROLD SHARON,  
Chief, Legislative and Precedent  
Branch, Management Division, TAGO.

[F.R. Doc. 69-4868; Filed, Apr. 23, 1969; 8:45 a.m.]



# Chapter VII—Department of the Air Force

## SUBCHAPTER A—ADMINISTRATION

### PART 806a—RELEASING INFORMATION FROM AND PROVIDING ACCESS TO MILITARY PERSONNEL RECORDS

Subchapter A of Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

A new Part 806a is added as follows:

Sec.	
806a.0	Purpose.
806a.1	Policy.
806a.2	Authority.
806a.3	Responsibility.
806a.4	Release of information.
806a.5	Material that may be held from disclosure.
806a.6	Guidance Table—Release of information.

**AUTHORITY:** The provisions of this Part 806a issued under 5 U.S.C. 552.

**SOURCE:** AFR 31-6, dated July 19, 1968.

#### § 806a.0 Purpose.

This part outlines procedures for releasing certain information from, and providing access to, the military personnel records of present and former members of the Air Force, in accordance with title 5, United States Code, section 552. It applies to the custodians of field, command, and master personnel records existing at all levels. These records will be hereafter referred to as military personnel records in this part.

#### § 806a.1 Policy.

(a) It is the fundamental policy of the Department of Defense (DoD) and the Air Force to make available to the public maximum information and records concerning their operations and activities. As used herein, "the public" means any party other than a U.S. Government agency.

(b) This basic policy is subject to the exception that normally records containing information from military personnel records are not required to be made to the public. Such information may be released when the disclosure would not result in a clearly unwarranted invasion of the personal privacy of the individual who is the subject of the record or when the disclosure authority determines that no significant purpose would be served by withholding it under the exemption.

(c) Do not withhold a record solely because its release might suggest administrative error or inefficiency or might embarrass the Air Force or any official of the Air Force.

#### § 806a.2 Authority.

The authority to disclose information from or provide access to military personnel records is vested in commanders and their representatives at major command or comparable level, or higher authority within Hq USAF. This authority will be delegated to:

(1) Installation, wing, or comparable commanders;

(2) Chiefs of Offices at directorate or higher level within Hq USAF including but not below chiefs of offices designated as custodians of records or documentary material maintained thereat. Anyone having the authority to disclose information or provide access thereto, is called a disclosure authority.

(b) When appropriate under this part, only a disclosure authority at the major command or comparable level, or at directorate or higher level within Hq USAF is authorized to refuse to make available military personnel records or information therefrom to the public. This authority may not be delegated except to the principal deputy, vice commander, or chief of staff, at the level indicated in this section.

#### § 806a.3 Responsibility.

(a) A disclosure authority should approve requests when he determines that:

(1) Person(s) requesting the information, documents, or access is directly and properly concerned and has a legitimate need for the information.

(2) Disclosing the information would not violate any existing laws, regulations, or policies or disclosing specific types of information.

(3) Disclosing the information would not result in a clearly unwarranted invasion of the personal privacy of the individual who is the subject of the record. In applying this test, the custodian may take into account such factors as the need of the requestor for the information.

(b) Information from personnel records will not be withheld from the individual who is the subject of the record or from a properly designated physician, lawyer, or other responsible representative of the individual on the basis of personal privacy. However, if disclosing such information would be harmful to the individual, the information may be withheld from him, although in such cases it should generally be made available to his designated representative.

(c) A record must exist and be identifiable at the time of a request.

(1) There is no obligation to create a record to satisfy a request for information.

(2) Requestors must be reasonably specific in identifying the records desired.

(d) The denial of requests for information or access to military personnel records is subject to the provisions of § 806a.2. Requestor will be advised of the exemption(s) under which the request was denied and the appeal procedures according to Part 806 of this chapter.

#### § 806a.4 Release of information.

To insure a uniform policy on release of information from military personnel records, the custodian will:

(a) Refer to § 806a.6 for guidance.

(b) Refer to one of the following publications or policies pertaining to release of specific items of information from military personnel records if the request involves information not identified in § 806a.6, or is a combination of listed and unlisted data.

(1) For release of classified information, see Part 850 of this chapter.

(2) For release of information from military personnel records for litigation, see Part 840 of this chapter.

(3) For release of Office of Special Investigation (OSI) reports or similar reports of other governmental investigative agencies, see AFR 124-4 (Requests for Investigation; Safeguarding, Handling, and Release of Information in OSI Reports).

(4) For release of information to any organization listed on the current DD Form 98, "Armed Forces Security Questionnaire", or from a country listed in AFR 205-6 (Personnel Investigations, Security Clearances and Access Authorizations), or if the inquiry is suspected of being requested for use in a smear campaign or for other ulterior motives, refer to Hq USAF (AFISD), Building T-E, Washington, D.C. 20333.

(5) For release of information from medical records, see AFM 168-4 (Administration of Medical Activities). Refer to appropriate director of medical services.

(6) For release of information or copies of military personnel records to Members of Congress or congressional committees, see Part 813a of this chapter.

(7) For release of information to the General Accounting Office or concerning General Accounting audit or program information, see AFR 11-8 (AF Relations with General Accounting Office (GAO)).

(8) For release of information concerning a paternity complaint, see Part 841 of this chapter.

(9) For release of information involving life insurance solicitation, see AFR 211-16 (Life Insurance Solicitation); for commercial solicitation, see AFR 211-2 (Personal Commercial Affairs). Releasing rosters or similar multilistings of names for commercial solicitation purposes with or without additional personnel data is prohibited.

(10) For a member, former member, or authorized representative, refer to AFM 35-9 (Official Military Personnel Records) for officers or AFM 35-12 (Airmen Military Personnel Records System) for airmen who desire to:

(i) Review subject records in person, refer the individual to the appropriate records custodian/office for scheduling of an appointment.

(ii) Verify his military service through correspondence or request copies of his records, apply the following rule: Withdraw or withhold any OSI investigative reports (or similar reports of other investigative agencies).



(11) For release of information in connection with a commercial opinion, advertising campaign, or statistical survey sponsored or supported by the Air Force, refer to the authority specified by the Air Force. (If not sponsored or supported by the Air Force, refuse according to paragraph (d) of § 806a.3 of this part and AFR 171-2 (AF Sample Surveys).)

(12) For release of information to any foreign national (including a grave adoption committee) caring for the grave of a deceased Air Force member interred in an overseas military cemetery, refer to USAF-MPC (AFPMDC), Randolph AFB TX 78148.

(13) For release of information concerning casualties, or missing or captured personnel, refer to USAFMPC (AFPMSC), Randolph AFB TX 78148.

(14) For unusual, controversial, or doubtful requests, refer to AFR 11-30 (Disclosure of Unclassified Records for Use of the Term "For Official Use Only") or USAFMPC (AFPMDC), Randolph AFB TX 78148.

(15) Do not provide identity of selection board members, under any circumstances.

(c) Refer to Part 813 of this chapter for the prescribed schedule of fees to be charged for copying, certifying, and searching records.

#### § 806a.5 Material that may be withheld from disclosure.

(a) Information contained in records or systems data not specifically referenced in a publication in paragraph (b) of § 806a.4, may only be withheld in accordance with the provisions of Part 806 of this chapter.

(b) In determining whether the release of information would result in a clearly unwarranted invasion of privacy, consideration would be given, in cases such as those involving alleged misconduct to:

(1) The amount of time that has passed since the alleged misconduct,

(2) The degree to which the individual's privacy has already been invaded, and

(3) The relationship of the alleged misconduct to an individual's official duties.

The release of information concerning alleged misconduct that is closely related to official duties and which has occurred recently, and/or has already been exposed to the public, is less likely to constitute a clearly unwarranted invasion of personal privacy.

(c) Any request for an administrative evaluation of personal characteristics reflected on military personnel records will be denied.

#### § 806a.6 Guidance Table—Release of Information.

Rule	A When a request (for information/ records) is received from—	B And subject's written permission is required before custodian may release (See notes No. 3 and 5)—	C Then furnish military organization address if active duty; home address if retired/ separated—	D And furnish mailing address of emergency addressee and/or next of kin—	E And release data requested unless prohibited by § 806a.5. Apply provisions of §§ 806a.4 and 5. Never release more data than requested—
1	A representative of the executive or congressional branch.	No.....	Yes.....	Yes.....	Yes.
2	A Federal Department/Agency; another Military Service; or an Air Force official (see note 1).	No.....	Yes.....	Yes.....	Yes.
3	Any source (except Rule 2A) requesting copies of OER's, AFR's, Tag Rpts, or any releasable document that is a part of a personnel record (see note 2).	Yes.....			Yes.
4	A veterans organization which needs to determine the eligibility of an applicant (from the individual or the next of kin) for membership in the veterans organization, burial honors, memorial and dedicatory services or to materially assist the member or his/her dependents or next of kin.	No.....	Yes.....	Yes.....	Yes.
5	An individual (relative, attorney or other person) who presents proof that he is acting for or in behalf of a member, former member of the AF or his/her next of kin or emergency addressee.	Yes.....	Yes.....	Yes.....	Yes.
6	A welfare organization who needs the information to assist a member or former member of the AF or his/her dependents or next of kin.	No.....	Yes.....	Yes.....	Yes.
7	An official of a State, U.S. territory, or political subdivision of either who presents proof of their "Need to Know." (Note: For recruitment of personnel, Rule 10 applies.)	No.....	Yes.....	Yes.....	Yes.
8	An official of the U.S. Soldier's Home, or a State Soldier's Home, who needs the information to determine admittance eligibility of a former member of the Air Force.	No.....	Yes.....	Yes.....	Yes.
9	A former employer who needs to determine the military status of an employee who entered the military service but failed to apply or return to a position formerly held.	No.....	Yes.....	No.....	Dates of entry, separation or retirement only will be furnished. Character of discharge will not be furnished.
10	A prospective employer who needs to verify military data of a member or former member of the AF (see note 3).	Yes.....	Yes.....	No.....	Yes.
11	A bonding institution or surety firm for furnishing a bond or surety for a member or former member of the AF.	Yes.....	Yes.....	Yes.....	Yes.
12	Any source requesting the address of a court-martial or board member.	Yes.....	Yes.....		
13	An insurance/assurance company or other financial institution who needs the information to monetarily assist an AF member/former member, or the member's dependents, next of kin or emergency addressee, and the member's physical/mental status prevents personal communication.	No.....	Yes.....	Yes.....	Yes.
14	Any credit agency or creditor which needs the current military address of an AF member or home address of a former member. § 806a.5(c) applies.	No.....	Yes.....		
15	Any credit agency or creditor which needs to verify military service data of an AF member/former member, in order to establish a new account or re-establish a former account (see note 4).	Yes.....	Yes.....	Yes.....	Yes.
16	Any source requesting information about any AF member/former member prominent in civil or military life and is an incumbent of (or is reported to be a candidate for) a public office. (If requester does not have specific approval of the individual, refuse in accordance with § 806a.4(d).)	Yes.....	Yes.....	No.....	Yes.



Rule	A When a request (for information/ records) is received from—	B And subject's written permission is required before custodian may release (See notes No. 3 and 5)—	C Then furnish military organization address if active duty; home address if retired/separated—	D And furnish mailing address of emergency addressee and/or next of kin—	E And release data requested unless prohibited by § 806a.5. Apply provisions of §§ 806a.4 and 5. Never release more data than requested—
17	Any source not listed above requesting information about marital status, national origin, race, awards and decorations or other data contained in the military personnel records or personnel data systems.	Yes.....			Yes.

NOTES: 1. If physical inspection is necessary to carry out the Government security program, the requesting agency/department will furnish its representatives with authorization to request access to military personnel records. The custodian will generally permit such access if the representative presents his official investigative credentials issued by the requesting agency. When a Federal department/agency requests, through correspondence, information not normally released, the custodian may furnish information on an individual's military service, if the reasons for the request are fully explained.

2. Reproduced documents furnished individuals for their personal use are chargeable in accordance with Part 813 of this chapter. Each side of the document is considered one image. Official requirements for reproduced copies as prescribed by pertinent regulations (boards, courts-martial, appeals, etc.) are exempt from the provisions of Part 813 of this chapter.

3. Information will not be released for use by any type of labor organization or union on AF members employed during off-duty hours, with or without the consent of the AF member.

4. Requests for information concerning credit applications from any type of credit agency or creditor will be limited to verification of: Service dates, character of separations if honorable or under honorable conditions, current grade, date and place of birth, marital status, number of dependents, and if specifically requested, the base pay grade and allowances (exclusive of quarters and ration allowances). Release of this information may be furnished only with the written permission of the AF member. Proof of such AF member's permission must be furnished by the credit agency or creditor. Evaluations of personal characteristics (including pay habits if known) will never be furnished. Instead, when applicable, include the statement, "The Air Force does not attempt to evaluate a member's service for the purpose of this request, however (name of AF member) service has been honorable and faithful." Should the AF member refuse permission for release, return the inquiry to the addressee with a statement, "(name of AF member) refuses permission for release of requested information."

5. If the individual's permission for release is not readily available, but circumstances indicate that the release of the information may be in the best interest of the Air Force, the member, emergency addressee, or next of kin, refer the request with a summary of the circumstances to the next higher headquarters.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,  
Colonel, U.S. Air Force, Chief,  
Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 69-4752; Filed, Apr. 23, 1969; 8:45 a.m.]

# Chapter XVIII—Office of Civil Defense, Office of the Secretary of the Army PART 1812—EQUAL OPPORTUNITY FOR EMPLOYMENT IN FEDERALLY ASSISTED CONSTRUCTION

## Preaward Information and Reviews

Pursuant to the rules, regulations, and orders of the Secretary of Labor, the Department of Defense has issued procedures including a monetary cutoff limiting the application of the preaward provisions of 41 CFR 60-1.6(d). Subsection 12-803.3 of the Armed Services Procurement Regulations issued by the Department of Defense pertaining to federally assisted construction contracts and to Government contracts, provides for a "Pre-Award Compliance Check of Non-Exempt Contracts" to be made "Prior to entering into any nonexempt contract of \$1,000,000 or more \* \* \*".

In order to incorporate these procedures paragraph (a) of § 1812.12 is amended by adding the phrase "which includes civil defense construction work totalling \$1,000,000 or more" following the phrase "involving a construction contract," by adding the words "anticipated date of the" preceding the words "impending award," by adding the word "prospective" preceding the words "prime contractor" where first appearing, and by minor changes in form and content; all so as to read as follows:

## § 1812.12 Preaward information and reviews.

(a) Each OCD Regional Director approving an application for Federal financial assistance involving a construction contract which includes civil defense construction work totalling \$1 million or more shall obtain from the State and the State shall provide to the OCD Regional

Director for his use in notifying the Deputy Contract Compliance Officer, as soon as practicable: (1) The name and address of the prospective prime contractor and each known subcontractor; (2) anticipated date of the impending award; (3) whether the prime contractor and known subcontractors have previously held any Government contracts or federally assisted construction contracts subject to Executive Order 10925, 11114, or 11246; and (4) whether the prime contractor has previously filed compliance reports required by Executive Order 10925, 11114, or 11246, or by regulations of the Equal Employment Opportunity Commission issued pursuant to Title VII of the Civil Rights Act of 1964.

(64 Stat. 1245-1257, 50 U.S.C. App. 2251-2297; 72 Stat. 1799; E.O. 10925, 26 F.R. 6577; Delegation of Authority Regarding Civil Defense Functions, 29 F.R. 5017)

Effective date: This amendment shall be effective upon publication in the FEDERAL REGISTER.

Dated this 16th day of April 1969.

JOSEPH ROMM,  
Director of Civil Defense.

[F.R. Doc. 69-4869; Filed, Apr. 23, 1969; 8:46 a.m.]

# Title 37—PATENTS, TRADE-MARKS, AND COPYRIGHTS

## Chapter I—Patent Office, Department of Commerce

### PART I—RULES OF PRACTICE IN PATENT CASES

#### Requirements for Amendments to Applications After Allowance

On January 9, 1969, notice of proposed rule making regarding the revision of § 1.312, Title 37, Code of Federal Regulations, dealing with amendments to applications after allowance, was published in the FEDERAL REGISTER (34 F.R. 324). Interested persons were given over 30 days in which to submit written comments, suggestions, or objections regarding the proposed revision.

Full consideration having been given to all comments that were received in response to the public notice, the revision originally proposed is hereby adopted without change and is set forth below.

Effective date: This revision shall become effective upon publication in the FEDERAL REGISTER.

EDWARD J. BRENNER,  
Commissioner.

Approved: April 18, 1969.

MYRON TRIBUS,  
Assistant Secretary for  
Science and Technology.



Therefore, under the authority contained in section 6 of the Act of July 19, 1952 (66 Stat. 792; 35 U.S.C. 6), the Patent Office is amending Part 1 of Title 37 of the Code of Federal Regulations as follows:

By revising § 1.312 to read as follows:

**§ 1.312 Amendments after allowance.**

Amendments after the notice of allowance of an application will not be permitted as a matter of right. However, such amendments may be made if filed not later than the date the issue fee is paid, on the recommendation of the primary examiner, approved by the Commissioner, without withdrawing the case from issue.

[F.R. Doc. 69-4900; Filed, Apr. 23, 1969; 8:48 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 1—Federal Procurement Regulations

#### EXAMINATION OF RECORDS

This amendment of the Federal Procurement Regulations prescribes policies and procedures designed to carry out the provisions of Public Law 89-607 which amended section 304(c) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 254(c)), and permits the Examination of Records clause to be omitted, under certain circumstances, from negotiated contracts with foreign contractors and subcontractors.

#### PART 1-3—PROCUREMENT BY NEGOTIATION

##### Subpart 1-3.3—Determinations, Findings, and Authorities

1. Section 1-3.301 is amended to add subparagraph (a) (6). As amended, the section reads as follows:

**§ 1-3.301 General.**

(a) The determinations and supporting findings referred to in this Part 1-3 are documents required to justify the use of the authority to (1) enter into contracts by negotiation, (2) make advance payments under negotiated contracts, (3) determine the kind of contract to be used, (4) determine the estimated cost of, and fees to be paid under, cost-plus-a-fixed-fee contracts, (5) waive a requirement for the submission and certification by contractors or subcontractors of cost or pricing data, or (6) omit the Examination of Records clause from negotiated contracts with foreign contractors and foreign subcontractors, where agencies desire to omit such clause under the authority of section 304(c) of the Act (41 U.S.C. 254(c)).

2. Section 1-3.302 is amended to add paragraph (f). As amended, the section reads as follows:

**§ 1-3.302 Determinations and findings required.**

(f) The determinations required by section 304(c) of the Act (41 U.S.C. 254(c)) and Subpart 1-6.10 with respect to omitting the clause specified in § 1-7.101-10 or § 1-7.602-7 from contracts with foreign contractors or subcontractors regarding the right of the Comptroller General of the United States to examine the contractor's records when it is determined (1) that the omission will serve the best interests of the United States, or (2) that the public interest will best be served by the omission (see § 1-6.1001).

3. Section 1-3.303 is revised to read as follows:

**§ 1-3.303 Determinations and findings by the head of the agency.**

The determinations and written findings in support thereof, required by §§ 1-3.211 through 1-3.213 and 1-6.1004, may be made only by the head of the agency, except that the authority to make the determinations and findings required by § 1-3.211 may be delegated by the head of the agency to a chief officer responsible for procurement and only with respect to contracts which will not require the expenditure of more than \$25,000.

4. Section 1-3.814-2 is amended to read as follows:

**§ 1-3.814-2 Audit and records.**

(e) Except as otherwise provided in Subpart 1-6.10, or when independent authority exists for the omission of such clause, the clause in §§ 1-7.101-10 and 1-7.602-7 shall be inserted in all negotiated fixed-price contracts in excess of \$2,500, including contracts awarded under a total set-aside (small business restricted advertising, as defined in § 1-1.701-9) or a partial set-aside (see §§ 1-1.706 and 1-1.804), and a clause containing substantially the same provisions shall be included in all other negotiated contracts in excess of \$2,500. In addition, the right of the contracting agency to inspect the plant and to audit the books and records of any prime contractor or subcontractor engaged in the performance of a cost-type contract shall be expressly reserved in any such contract.

#### PART 1-6—FOREIGN PURCHASES

Part 1-6 is amended by the addition of a new Subpart 1-6.10 as follows:

**Subpart 1-6.9—[Reserved]**

**Subpart 1-6.10—Omission of the Examination of Records Clause From Contracts With Foreign Contractors**

- |          |   |
|----------|---|
| Sec.     |   |
| 1-6.1000 | Scope.                                    |
| 1-6.1001 | Statutory requirements.                   |
| 1-6.1002 | Policy.                                   |
| 1-6.1003 | Requests for determinations and findings. |
| 1-6.1004 | Determinations and findings.              |

**AUTHORITY:** The provisions of this Subpart 1-6.10 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

#### Subpart 1-6.10—Omission of the Examination of Records Clause From Contracts With Foreign Contractors

**§ 1-6.1000 Scope.**

This subpart sets forth policies and procedures for omitting the Examination of Records clause from contracts with foreign contractors and foreign subcontractors where agencies desire to omit such clause under the authority granted in section 304(c) of the Federal Property and Administrative Services Act of 1949, as amended.

**§ 1-6.1001 Statutory requirements.**

(a) In accordance with section 304(c) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 254(c)), the Examination of Records clause (see §§ 1-7.101-10 and 1-7.602-7) may be omitted from negotiated contracts and subcontracts with foreign contractors and foreign subcontractors.

(1) Where the head of the agency determines, with the concurrence of the Comptroller General or his designee, that omission of the clause will serve the best interests of the United States; or

(2) Where (i) the contractor or subcontractor is a foreign government or agency thereof, or is precluded by the laws of the country involved from making its books, documents, papers, or records available for examination; and (ii) the head of the agency determines, after taking into account the price and availability of the property or services from U.S. sources, that the public interest would be best served by the omission of the clause.

(b) A determination by the head of the agency under paragraph (a) (2) of this § 1-6.1001 does not require the concurrence of the Comptroller General or his designee. However, where a determination by the head of the agency under paragraph (a) (2) of this § 1-6.1001 is the basis for omission of the Examination of Records clause, the statute requires that a written report be furnished to the Congress. This report, which shall explain the reasons for the determination, shall be prepared and forwarded to the Congress in accordance with agency procedures.

**§ 1-6.1002 Policy.**

The Examination of Records clause shall be included where possible. Omission of the clause should be allowed only after the contracting agency has made all reasonable efforts to include the clause and has considered such factors as alternate sources of supply, additional cost, and time of delivery. "Foreign contractor" for the purposes of this Subpart 1-6.10 is defined as "one that is organized or existing under the laws of a country other than the United States" (see § 1-6.101(c)).

**§ 1-6.1003 Requests for determinations and findings.**

A request for a determination and findings to omit the Examination of Records clause (see § 1-3.302) ordinarily will be initiated by the contracting



officer. The request shall consist of a letter submitted through normal procurement channels, addressed to the head of the agency, setting forth all the facts necessary to arrive at an appropriate determination and findings. The power of the agency head to make such a determination is not delegable (see § 1-3.303).

§ 1-6.1004 Determinations and findings.

The determinations and findings by the head of an agency authorizing the omission of the Examination of Records clause from a contract with a foreign contractor or foreign subcontractor shall:

(a) Identify the contract or subcontract and its purpose, and state that it is a contract or subcontract with a foreign contractor or foreign subcontractor, or that the contractor or subcontractor is a foreign government or agency thereof;

(b) Describe the efforts that have been made to include the clause in the contract or subcontract;

(c) State the reasons for the contractor's or subcontractor's refusal to include the clause;

(d) Describe the price and availability of the property or services from United States and other sources; and

(e) Determine, as appropriate, (1) that the omission of the clause will serve the best interests of the United States, or (2) that the public interest would be best served by the omission of the clause, pursuant to the provisions of section 304(c) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 254(c)), (see § 1-6.1001).

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

**Effective date.** This amendment is effective May 29, 1969, but may be observed earlier.

Dated: April 17, 1969.

ROBERT L. KUNZIG,  
Administrator of General Services.

[F.R. Doc. 69-4873; Filed, Apr. 23, 1969;  
8:46 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

### Chapter II—Bureau of Land Management, Department of the Interior

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4643]

[New Mexico 0556981]

#### NEW MEXICO

#### Withdrawal for National Forest Administrative Sites, Recreation Areas, Roadside Zones, and Streamside Zones

By virtue of the authority vested in the President and pursuant to Executive

Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

#### NEW MEXICO PRINCIPAL MERIDIAN

##### GILA NATIONAL FOREST

##### Bursum Campground

T. 11 S., R. 13 W.,  
Sec. 2, NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

##### Lake Roberts Recreation Area

T. 14 S., R. 13 W.,  
Sec. 35, S $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ .

T. 15 S., R. 13 W.,  
Sec. 1, lots 1, 2, 3, 4, and S $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 2, lots 1, 2, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

##### Scorpion Corral Recreation Area

T. 12 S., R. 14 W.,  
Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ .

##### Forks Recreation Area

T. 13 S., R. 13 W.,  
Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

##### Grapevine Recreation Area

T. 13 S., R. 13 W.,  
Sec. 8, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

##### East Fork Recreation Area

T. 13 S., R. 13 W.,  
Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

##### Black Mountain Administrative Site

T. 11 S., R. 13 W.,  
Sec. 6, S $\frac{1}{2}$  of lot 15.

##### Whitewater Forest Camp

T. 11 S., R. 19 W.,  
Sec. 4, lots 19, 20, SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and  
S $\frac{1}{2}$ SE $\frac{1}{4}$  less 3.518 acres in Mineral  
Patent No. 616423;  
Sec. 5, lots 13 to 20, inclusive;  
Sec. 6, lots 16 and 17.

##### Copperas Canyon—Cliff Dwelling Road

A strip of land 600 feet wide, 300 feet on each side of centerline of State Highway No. 527, through the following legal subdivisions:

T. 13 S., R. 13 W.,  
Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and  
S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 16, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 17, NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 21, W $\frac{1}{2}$ ;  
Sec. 28, W $\frac{1}{2}$ ;  
Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 14 S., R. 13 W.,  
Sec. 4, lots 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and  
W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 5, lot 1;  
Sec. 8, SW $\frac{1}{4}$ SE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$   
SW $\frac{1}{4}$ ;  
Sec. 17, W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 20, NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 29, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 32, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

T. 12 S., R. 14 W.,  
Sec. 26, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 26, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 36, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

#### Gila River (West, Middle, and East Forks) Streamside Zones

A strip of land 300 feet on each side of the stream through the following legal subdivisions:

T. 12 S., R. 13 W.,  
Sec. 31, lot 1;  
Sec. 32, S $\frac{1}{2}$ SW $\frac{1}{4}$ .  
T. 13 S., R. 13 W.,  
Sec. 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 8, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
E $\frac{1}{2}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 20, lot 1.  
T. 12 S., R. 14 W.,  
Sec. 25, SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

#### LINCOLN NATIONAL FOREST

##### Oak Grove Picnic Ground

T. 10 S., R. 12 E. (unsurveyed),  
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  and NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$   
SE $\frac{1}{4}$ .

##### South Fork Campground

T. 10 S., R. 11 E. (partially unsurveyed),  
Sec. 12, E $\frac{1}{2}$  of lot 21, lots 22 and 23;  
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NE $\frac{1}{4}$   
NW $\frac{1}{4}$  exclusive of lands in HES 244.

##### Spring Cabin Administrative Site

T. 10 S., R. 11 E.,  
Sec. 6, NW $\frac{1}{4}$ SW $\frac{1}{4}$  (unsurveyed).

##### Elder Canyon Administrative Site

T. 9 S., R. 10 E.,  
Sec. 35, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$   
NW $\frac{1}{4}$ .

##### Ski Cloudcroft Winter Sports Area

T. 16 S., R. 12 E.,  
Sec. 3, lot 20;  
Sec. 4, lot 17.

##### Guadalupe Administrative Site

T. 24 S., R. 22 E.,  
Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ .

The areas described above aggregate approximately 3,337.59 acres.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[F.R. Doc. 69-4876; Filed, Apr. 23, 1969;  
8:46 a.m.]

[Public Land Order 4644]

[Wyoming 0280347]

#### WYOMING

#### Withdrawal for Wildlife Management

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn 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, and reserved for management in cooperation with the State of Wyoming as a part of the existing East Fork Elk Winter Pasture:

SIXTH PRINCIPAL MERIDIAN

T. 43 N., R. 106 W.,  
Sec. 35, NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ .

The areas described aggregate 240 acres in Fremont County.

2. Upon execution of a cooperative agreement with the Secretary of the Interior or his delegate, the State of Wyoming is authorized to manage the lands as a wildlife refuge, public shooting grounds, or a game management area, consistent with Federal programs for the management of the lands.

3. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws. However, leases, licenses, contracts, or permits will be issued only if the proposed use of the lands will not interfere with the proper management of the East Fork Elk Winter Pasture.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[P.R. Doc. 69-4877; Filed, Apr. 23, 1969;  
8:46 a.m.]

[Public Land Order 4645]

[Riverside 1491]

CALIFORNIA

Partial Revocation of National Forest  
Administrative Withdrawal

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The departmental order of July 15, 1907, withdrawing national forest lands as administrative sites, is hereby revoked so far as it affects the following described land:

SAN BERNARDINO NATIONAL FOREST

SAN BERNARDINO MERIDIAN

Fernando Administrative Site

T. 3 N., R. 14 W.,  
Sec. 31, lot 12.

Containing 46.66 acres in Los Angeles County.

2. At 10 a.m. on May 24, 1969, the land shall be open to such forms of disposition as may by law be made of national forest lands.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[P.R. Doc. 69-4878; Filed, Apr. 23, 1969;  
8:46 a.m.]

[Public Land Order 4646]

[Idaho 015210]

IDAHO

Powersite Cancellation No. 262; Partial  
Cancellation of Powersite Classification No. 420

By virtue of the authority contained in the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 133z-15, note), and in section 24 of the act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the determination of the Federal Power Commission in DA-593-Idaho, it is ordered as follows:

1. The order of the Geological Survey of October 17, 1951, creating Powersite Classification No. 420, is hereby canceled so far as it affects the following described lands:

BOISE MERIDIAN

T. 18 N., R. 4 W.,  
Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 9, E $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 16, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 17, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 31, lot 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 19 N., R. 4 W.,  
Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 15, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 17 N., R. 5 W.,  
Sec. 1, lot 3;  
Sec. 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 16 N., R. 6 W.,  
Sec. 15, NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 33, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 11 N., R. 7 W.,  
Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 12 N., R. 7 W.,  
Sec. 18, SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 20, NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 33, SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 13 N., R. 7 W.,  
Sec. 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 14 N., R. 7 W.,  
Sec. 26, SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 33, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The areas described including both public and nonpublic lands, aggregate 1,596 acres in Adams and Washington Counties, of which 1,396 acres are public lands.

2. At 10 a.m. on May 24, 1969, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 24, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. The State has waived the preference right of application, afforded it by section 24 of the Federal Power Act (16 U.S.C. 818), as amended.

3. The public lands have been open to applications and offers under the mineral

leasing laws, and to location under the U.S. mining laws subject to the provisions of the act of August 11, 1955 (69 Stat. 681; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[P.R. Doc. 69-4879; Filed, Apr. 23, 1969;  
8:47 a.m.]

[Public Land Order 4648]

[Idaho 016892, I-1648]

IDAHO

Partial Revocation of Reclamation  
Project Withdrawals

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental orders of November 17, 1902, January 27, 1904, March 18, 1908, October 7, 1908, September 17, 1909, and April 23, 1924, withdrawing lands for the Minidoka Project, are hereby revoked so far as they affect the following-described lands:

BOISE MERIDIAN

T. 10 S., R. 19 E.,  
Sec. 7, lot 8.  
T. 9 S., R. 20 E.,  
Sec. 11, N $\frac{1}{2}$ .  
T. 8 S., R. 22 E.,  
Sec. 34, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 8 S., R. 30 E.,  
Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 28, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 9 S., R. 29 E.,  
Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 9 S., R. 30 E.,  
Sec. 6, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 7, lot 1.

The areas described aggregate 875.5 acres in Twin Falls, Jerome, Minidoka, and Power Counties. Vegetative cover is sagebrush, cheatgrass, juniper, and native forbs. Topography is generally rough to undulating with lava outcrops.

2. At 10 a.m. on May 24, 1969, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 24, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands will be open to location under the United States mining laws at 10 a.m. on May 24, 1969. They have been open to applications and offers under the mineral leasing laws.



Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[F.R. Doc. 69-4880; Filed, Apr. 23, 1969;  
8:47 a.m.]

[Public Land Order 4652]

[Sacramento 1693]

# CALIFORNIA

## Withdrawal for Reclamation Project

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights, the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn 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, and reserved for the Stony Gorge Dam and Reservoir of the Orland Project:

### MOUNT DIABLO MERIDIAN

T. 20 N., R. 6 W.,  
Sec. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$ .

The area described contains 80 acres in Glenn County.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[F.R. Doc. 69-4883; Filed, Apr. 23, 1969;  
8:47 a.m.]

[Public Land Order 4649]

[Oregon 3248]

# OREGON

## Powersite Cancellation No. 268; Partial Cancellation of Powersite Classification No. 421

By virtue of the authority contained in the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 133z-15, note), and in section 24 of the act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, it is ordered as follows:

1. The order of the Geological Survey of November 30, 1951, creating Powersite Classification No. 421, is hereby canceled so far as it affects the following described land:

### WILLAMETTE MERIDIAN

T. 11 S., R. 45 E.,  
Sec. 36, NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

Containing 40 acres in Baker County.

The land lies on the west side of the Snake River about 20 miles north of Huntington. Topography is steep. Vegetation consists of big sagebrush, blue-bunch wheatgrass, cheatgrass, and other native grasses, shrubs, and forbs.

2. At 10 a.m. on May 24, 1969, the land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 24, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The land has been open to applications and offers under the mineral leasing laws, and to location under the mining laws, subject to the provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Ore.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[F.R. Doc. 69-4881; Filed, Apr. 23, 1969;  
8:47 a.m.]

[Public Land Order 4650]

[Sacramento 060741]

# CALIFORNIA

## Reservoir Site Restoration No. 29; Revocation of Red Lake Reservoir Site Withdrawal No. 14

By virtue of the authority contained in the act of October 2, 1888 (25 Stat. 526; 43 U.S.C. 662), as amended, it is ordered as follows:

1. The departmental order of August 18, 1894, which withdrew lands in California for reservoir site purposes, is hereby revoked so far as it affects the following described lands:

### MOUNT DIABLO MERIDIAN

#### RED LAKE RESERVOIR SITE NO. 14

T. 10 N., R. 18 E.,  
Sec. 22, SE $\frac{1}{4}$ ;  
Sec. 23, S $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The areas described aggregate approximately 360 acres in Alpine County, in the Toiyabe National Forest. All of the lands remain withdrawn for reclamation purposes except NE $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 22 and S $\frac{1}{2}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 23, which are patented.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[F.R. Doc. 69-4884; Filed, Apr. 23, 1969;  
8:47 a.m.]

[Public Land Order 4651]

[Utah 4466]

# UTAH

## Withdrawal for Department of the Air Force Seismometer Sites

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands are hereby withdrawn 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, and reserved for use of the Department of the Air Force for construction and operation of seismometer stations:

### SALT LAKE MERIDIAN

T. 4 S., R. 19 E.,  
Sec. 13, N $\frac{1}{2}$  of lot 1.  
T. 8 S., R. 20 E.,  
Sec. 9, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 7 S., R. 22 E.,  
Sec. 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 5 S., R. 23 E.,  
Sec. 26, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The areas described aggregate 37 acres in Uintah County.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the land under lease, license, or permit, or governing the disposal of its mineral or vegetative resources other than under the mining laws. However, leases, licenses, or permits will be issued only if the Department of the Air Force finds that the proposed use of the lands will not interfere with the proper operation of its facilities on the lands.

3. This withdrawal shall be subject to an existing electrical transmission line right-of-way of the Bureau of Reclamation, which traverses the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  of sec. 26, T. 5 S., R. 23 E.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[F.R. Doc. 69-4883; Filed, Apr. 23, 1969;  
8:47 a.m.]

[Public Land Order 4653]

[Idaho 2348]

# IDAHO

## Withdrawal for National Forest Recreation Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

### BOISE NATIONAL FOREST

#### BOISE MERIDIAN

T. 2 N., R. 10 E.,  
Sec. 7, N $\frac{1}{2}$  of lot 1, SW $\frac{1}{4}$  of lot 1,  
N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

The area described aggregates 60 acres in Elmore County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative re-



sources other than under the mining laws.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

APRIL 18, 1969.

[F.R. Doc. 69-4885; Filed, Apr. 23, 1969;  
8:47 a.m.]

[Public Land Order 4647]

[I-2291]

## IDAHO

### Withdrawal for National Forest Streamside Zone—Administrative Site

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

#### ST. JOE NATIONAL FOREST

##### BOISE MERIDIAN

##### Upper St. Joe River Streamside Zone

T. 43 N., R. 9 E.,

Sec. 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 42 N., R. 10 E.,

Sec. 1, unpatented portion of NW $\frac{1}{4}$ , NW $\frac{1}{4}$  of lot 2, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , unpatented portion of NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , unpatented portion of S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

T. 43 N., R. 10 E.,

Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;

Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  of lot 1, SW $\frac{1}{4}$  and N $\frac{1}{2}$  of lot 2, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$  of lot 3, W $\frac{1}{2}$  of lot 4;

Sec. 36, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , unpatented portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , unpatented portion of NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , unpatented portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , unpatented portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 42 N., R. 11 E.,

Sec. 4, N $\frac{1}{2}$  of lot 4;

Sec. 5, NE $\frac{1}{4}$  of lot 1, S $\frac{1}{2}$ NW $\frac{1}{4}$  of lot 1, N $\frac{1}{2}$ S $\frac{1}{2}$  of lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$  of lot 2, NE $\frac{1}{4}$ SW $\frac{1}{4}$  of lot 2, W $\frac{1}{2}$ SW $\frac{1}{4}$  of lot 2, N $\frac{1}{2}$ SE $\frac{1}{4}$  of lot 2, S $\frac{1}{2}$ SW $\frac{1}{4}$  of lot 3, SE $\frac{1}{4}$  of lot 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Sec. 6, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 7, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

Totaling approximately 819 acres.

#### Red Ives Administrative Site

T. 43 N., R. 9 E.,

Sec. 20, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

Totaling 50 acres.

The areas described aggregate approximately 869 acres in Shoshone County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRISON LOESCH,

Assistant Secretary of the Interior.

APRIL 18, 1969.

[F.R. Doc. 69-4886; Filed, Apr. 23, 1969;  
8:47 a.m.]

## Title 7—AGRICULTURE

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

[Grapefruit Reg. 20, Amdt. 2]

### PART 906—ORANGES AND GRAPE- FRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

#### Limitation of Shipments

**Findings.** (1) Pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Texas Valley Citrus Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publica-

tion thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of grapefruit.

**Order.** The provisions of paragraph (a) (1) (ii) of § 906.341 Grapefruit Regulation 20 (33 F.R. 14068; 34 F.R. 6075) are amended to read as follows:

#### § 906.341 Grapefruit Regulation 20.

(a) **Order.** (1) \* \* \*

(ii) Any grapefruit of any variety, grown in the production area, which are of a size smaller than 3 $\frac{1}{16}$  inches in diameter, except that not more than 10 percent, by count, of such grapefruit in any lot of containers, and not more than 15 percent, by count, of such grapefruit in any individual container in such lot, may be of a size smaller than 3 $\frac{1}{16}$  inches in diameter: *Provided*, That during the period April 19 through September 14, 1969, grapefruit grading at least U.S. No. 1, and not smaller than 3 $\frac{1}{16}$  inches in diameter, with not more than 10 percent, by count, of such grapefruit in any lot of containers, and not more than 15 percent, by count, of such grapefruit in any individual container in such lot smaller than 3 $\frac{1}{16}$  inches in diameter, may be handled; or

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

Dated, April 18, 1969, to become effective April 19, 1969.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Veget-  
able Division, Consumer  
and Marketing Service.

[F.R. Doc. 69-4905; Filed, Apr. 23, 1969;  
8:49 a.m.]

[Navel Orange Reg. 179]

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

#### Limitation of Handling

#### § 907.479 Navel Orange Regulation 179.

(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 regulation 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 April 22, 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 April 25, 1969, through May 1, 1969, are hereby fixed as follows:

- (i) District 1: 729,000 cartons.
- (ii) District 2: 171,000 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: April 23, 1969.

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

[P.R. Doc. 69-4988; Filed, Apr. 23, 1969;  
11:31 a.m.]

[Valencia Orange Reg. 273]

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

## Limitation of Handling

### § 908.573 Valencia Orange Regulation 273.

(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 April 22, 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 April 25, 1969, through May 1, 1969, are hereby fixed as follows:

- (i) District 1: 343,319 cartons;
- (ii) District 2: 200,000 cartons;
- (iii) District 3: 325,000 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: April 23, 1969.

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

[P.R. Doc. 69-4989; Filed, Apr. 23, 1969;  
11:31 a.m.]

## Title 49—TRANSPORTATION

### Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 22; Amdt. No. 1]

### PART 71—STANDARD TIME ZONE BOUNDARIES

#### Operating Exceptions for Certain Lines of Railroad

The purpose of this amendment to Part 71 of Title 49 of the Code of Federal Regulations is to change the existing lists of exceptions pertaining to certain railroad operations that traverse time zone boundaries.

The changes are necessary because of (1) the relocation of the eastern-central time zone boundary in Indiana and Michigan effective April 27, 1969; (2) the action of the State of Michigan in exempting itself from the observance of advanced (daylight) time; (3) the relocation of the central-mountain time zone boundary in Nebraska and South Dakota in 1968; (4) the relocation of the mountain-Pacific time zone boundary in Utah, effective April 27, 1969; and (5) railroad mergers and internal railroad operational changes.

Operating exceptions are granted pursuant to the first section of the Act of March 19, 1918, as amended by section 4(a) of the Uniform Time Act of 1966 (15 U.S.C. 261), to permit certain carriers to carry the standard of time upon which the major portion of a particular operation is conducted into an adjoining time zone. However, the carrier concerned shall, in its advertisements, time cards, bulletin boards in stations and other publications, show the arrival and departure times at stations along the excepted lines in terms of the standard of time for the area in which those stations are situated.

Since this amendment involves the re-statement of certain existing exemptions and the establishment of certain new exemptions required by the time zone



boundary changes described above, all of which are either now in effect or will become effective on April 27, 1969, I find that notice and public procedure thereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, effective at 2 a.m. on April 27, 1969, Part 71 of Title 49 of the Code of Federal Regulations is amended as set forth below:

Issued in Washington, D.C., on April 18, 1969.

R. TENNEY JOHNSON,  
Acting General Counsel.

(1) Paragraph (g) of § 71.4 is amended to read as follows:

**§ 71.4 Boundary line between Eastern and Central zones.**

(g) *Operating exceptions*—(1) *Lines east of boundary excepted from eastern zone.* Those portions of the following lines of railroad located east of the zone boundary described in this section, are, for operating purposes only, excepted from the U.S. standard eastern time zone and included within the U.S. standard central time zone:

Railroad	From—	To—
Baltimore & Ohio.	East line of La Porte County, Ind. (west of Walkerton, Ind.).	West yard limits of Garrett, Ind.
Do.....	Illinois-Indiana State line (west of Dana, Ind.).	West yard limits of Indianapolis, Ind.
Do.....	Illinois-Indiana State line (west of Vincennes, Ind.).	Washington, Ind.
Chicago, Milwaukee, St. Paul & Pacific.	Illinois-Indiana State line (northwest of Dana, Ind.).	Seymour, Ind.
Do.....	Michigan-Wisconsin State line (south of Iron Mountain, Mich.).	Champion, Ontonagon, and Iron River, Mich. <sup>1</sup>
Chicago & North-western.	Michigan-Wisconsin State line.	East limits of Marquette and Delta Counties, Mich. <sup>1</sup>
Erie-Lackawanna.	South line of Starke County, Ind. (near Ora, Ind.).	Marion, Ohio.
Grand Trunk Western.	East line of La Porte County, Ind. (east of Mill Creek).	Michigan-Indiana State line (near Granger, Ind.).
Do.....	Michigan-Indiana State line (near Granger, Ind.).	Battle Creek, Mich. <sup>1</sup>
Illinois Central.	Illinois-Indiana State line (west of Riverton, Ind.).	South yard limits of Indianapolis, Ind.
Do.....	West line of Hardin County, Ky. (west of Summit, Ky.).	Hodgenville, Ky., and south yard limits of Louisville, Ky.
Louisville & Nashville.	West line of Meade County, Ky. (west of Guston, Ky.).	Strawberry, Ky.
Do.....	South line of Hardin County, Ky. (south of Danbey, Ky.).	Lebanon Junction, Ky.
Do.....	West line of Hamilton County, Penn. (west of Hooker, Ga.).	Western limits of Chattanooga, Tenn.
Do.....	Apalachicola River.	River Junction, Fla.

Railroad	From—	To—
Norfolk & Western.	East line of Starke County, Ind. (west of Burr Oak Ind.).	East yard limits of Fort Wayne, Ind.
Do.....	East line of La Porte County, Ind. (east of Dillon, Ind.).	Toledo, Ohio.
Do.....	Illinois-Indiana State line (west of State line, Ind.).	Toledo, Ohio, and Ohio-Michigan State line (near Munson, Mich.).
Do.....	Ohio-Michigan State line (near Munson, Mich.).	Oakwood Junction, Mich. <sup>1</sup>
Do.....	East line of La Porte County, Ind. (west of Walkerton, Ind.).	South yard limits of Peru, Ind.
Do.....	Illinois-Indiana State line (west of Ambia, Ind.).	East yard limits of Frankfort, Ind.
Do.....	Illinois-Indiana State line (west of Cayuga, Ind.).	Frankfort, Ind.
Penn Central.	Michigan-Indiana State line (south of Grand Beach, Mich.).	Niles, Mich. <sup>1</sup>
Do.....	East line of La Porte County, Ind. (west of Elkhart, Ind.).	Tower B (4.9 miles) east of the west line of Elkhart County, Ind.
Do.....	East line of Starke County, Ind. (west of Donaldson, Ind.).	Fort Wayne, Ind.
Do.....	South line of Starke County, Ind. (north of Denham, Ind.).	Logansport, Ind.
Do.....	East line of Jasper County, Ind. (east of Remington, Ind.).	Logansport, Ind.
Do.....	The intersection of the north line of Benton County, Ind., and Illinois-Indiana State line (northwest of Sheff, Ind.).	Sheff, Ind.
Do.....	South line of Newton County, Ind. (north of Sheff, Ind.).	Illinois-Indiana State line (northeast of Danville, Ill.).
Do.....	Illinois-Indiana State line (west of St. Marys of the Woods, Ind.).	Ringo Tower, Ind. (Terre Haute).
Do.....	Illinois-Indiana State line (east of Farrington, Ill.).	Ringo Tower, Ind. (Terre Haute).
Peoria & Eastern.	Illinois-Indiana State line (east of Danville, Ill.).	West yard limits of Indianapolis, Ind.
Soo Line.	Michigan-Wisconsin State line.	United States-Canada Boundary (near Sault Ste. Marie, Mich.). <sup>1</sup>
Southern.	East line of Pike County, Ind. (west of Stapleton, Ind.).	Junction with Baltimore & Ohio near Vincennes Street, New Albany, Ind.

<sup>1</sup> Effective only from 2 a.m. on the last Sunday in October to 2 a.m. on the last Sunday in April; exception unnecessary during summer months because during that period Michigan nonadvanced time is the same as central standard time.

(2) *Lines west of boundary included in eastern zone.* Those portions of the following lines of railroad located west of the zone boundary line described in this section, are, for operating purposes only, included within the U.S. standard eastern time zone:

Railroad	From—	To—
Apalachicola Northern.	Apalachicola, Fla., and Apalachicola River.	Port St. Joe, Fla.
Central of Georgia.	Georgia-Alabama State line (west of Hilton, Ga.).	Dothan, Ala.
Chesapeake & Ohio.	South line of Starke County, Ind. (north of Beards-town, Ind.).	Griffith, Ind.
Do.....	Michigan-Indiana State line (south of New Buffalo, Mich.).	Porter and La Crosse, Ind. <sup>1</sup>
Louisville & Nashville.	West line of Taylor County, Ky. (east of White-wood, Ky.).	Greensburg, Ky.
Monon.	North line of Pulaski County, Ind. (south of San Pierre).	Michigan City, Ind., and Hammond, Ind.
Do.....	West line of White County, Ind. (west of Lee, Ind.).	Hammond, Ind., and Michigan City, Ind.
Penn Central.	South line of Daviess County, Ind. (north of Petersburg, Ind.).	Ashby, Ind.
Seaboard Coast Line.	Georgia-Alabama State line (west of Esom, Ga.).	Birmingham, Ala.
Do.....	Georgia-Alabama State line (west of Omaha, Ga.).	Montgomery, Ala.
Do.....	Georgia-Alabama State line (near Pyne, Ga.).	Parkwood, Ala.
Do.....	Georgia-Alabama State line (west of Saffold, Ga.).	Abbeville, Elba, and Montgomery, Ala.
Tennessee, Alabama & Georgia.	Georgia-Alabama State line (southwest of Menlo, Ga.).	Gadsden, Ala.

<sup>1</sup> Effective only from 2:00 a.m. on the last Sunday in October to 2:00 a.m. on the last Sunday in April; exception unnecessary during summer months because during that period Michigan nonadvanced time is the same as central standard time.

(3) *Indiana and Ohio operations included in Michigan nonadvanced time.* Those portions of the following lines of railroad located east of the zone boundary described in this section, are, for operating purposes only, excepted from the U.S. standard eastern time zone to permit operations in accordance with Michigan nonadvanced eastern time during the period from 2 a.m. on the last Sunday in April to 2 a.m. on the last Sunday in October:

Railroad	From—	To—
Ann Arbor....	Michigan-Ohio State line (north of Alexis, Ohio).	Toledo, Ohio.
Chesapeake & Ohio.	Michigan-Ohio State line (north of Alexis, Ohio).	Alexis, Ohio.
Detroit & Toledo Shore Line.	Michigan-Ohio State line (north of Toledo, Ohio).	Toledo, Ohio.
Detroit & Iron-ton.	Michigan-Ohio State line (south of Dianne, Mich.).	Do.
Penn Central.	Michigan-Indiana State line (north of Vistula, Ind.).	Tower B, Elkhart, Ind.
Do.....	Michigan-Ohio State line (north of Alexis, Ohio).	Alexis, Ohio.
Do.....	Michigan-Indiana State line (south of Niles, Mich.).	South Bend, Ind.
Do.....	Michigan-Indiana State line (south of Sturgis, Mich.).	Fort Wayne, Ind.



(4) *Michigan operations excepted from Michigan nonadvanced time.* Those portions of the following lines of railroad located within the State of Michigan and east of the zone boundary described in this section, are, for operating purposes only, excepted from the requirement to operate in accordance with Michigan's nonadvanced eastern time and permitted to operate on eastern standard time (advanced) during the period from 2 a.m. on the last Sunday in April to 2 a.m. on the last Sunday in October.

Railroad	From—	To—
Detroit, Toledo & Ironton.	Ohio-Michigan State line (north of Metamora, Ohio).	Detroit, Mich.
Do.....	Ohio-Michigan State line (north of Denson, Ohio).	Tecumseh, Mich.
Penn Central.	Indiana-Michigan State line (north of Ray, Ind.).	Jackson, Mich.
Do.....	White Pigeon Junction, Mich.	Jonesville, Mich.
Do.....	Litchfield, Mich.	Osseo, Mich.
Do.....	Bankers, Mich.	North Adams, Mich.
Do.....	Morenci, Mich.	Palmyra, Mich.
Do.....	Clayton, Mich.	Ida, Mich.
Do.....	Ohio-Michigan State line (south of Ottawa Lake, Mich.).	Clinton, Mich.
Do.....	Ohio-Michigan State line (north of Alfordton, Ohio).	Jackson, Mich.
Do.....	Cement City, Mich.	Brooklyn, Mich.

(2) Paragraph (f) of § 71.6 is amended to read as follows:

§ 71.6 Boundary line between central and mountain zones.

(f) *Operating exceptions—*(1) *Lines east of boundary excepted from mountain zone.* Those portions of the following lines of railroad, located east of the zone boundary line described in this section, are, for operating purposes only, excepted from the U.S. standard central time zone and included within the U.S. standard mountain time zone:

Railroad	From—	To—
Atchison, Topeka, & Santa Fe.	Texas-New Mexico State line (near Anthony, Tex.).	El Paso, Tex.
Chicago, Burlington, & Quincy.	Curtis, Nebr.	Line between townships 30 and 31 west of sixth principal meridian.
Do.....	Ravenna, Nebr.	Line between townships 18 and 19 north.
Chicago, Milwaukee, St. Paul & Pacific.	North line of township 130 N., Range 82 W., Morton County, N. Dak.	Cannon Ball River, N. Dak.
Great Northern Railway.	Williston, N. Dak.	Montana-North Dakota State line.
Do.....	Watford City, N. Dak.	Yellowstone River, N. Dak.
Missouri Pacific.	Holsington, Kans.	East line of Nees County, Kans.

Railroad	From—	To—
Northern Pacific.	East line of township 138 N., Range 83 W., Morton County, N. Dak.	Mandan, N. Dak.
Do.....	Mandan, N. Dak.	North line of township 140 N., Range 81 W., Morton County, N. Dak.
Do.....	do.....	South line of township 139 N., Range 81 W., Morton County, N. Dak.
Union Pacific.	North Platte, Nebr.	West line of Lincoln County, Nebr.

(2) *Lines west of boundary included in central zone.* Those portions of the following lines of railroad located west of the zone boundary line described in this section, are, for operating purposes only, included within the U.S. standard central time zone:

Railroad	From—	To—
Atchison, Topeka & Santa Fe.	Colorado-Kansas State line.	Pritchett, Colo.
Do.....	East line of Nees County, Kans.	Scott City, Kans.
Chicago, Rock Island & Pacific.	Texas-New Mexico State line.	Tucumcari, N. Mex.
Do.....	Phillipsburg, Kans.	Goodland, Kans.
Missouri Pacific.	Glade, Kans.	Lenora, Kans.
Soo Line.	Montana-North Dakota State line.	Whitetail, Mont.
Union Pacific.	Plainville, Kans.	Oakley, Kans.

\* Not required to show mountain time in public announcements.

(3) Paragraph (d) of § 71.8 is amended to read as follows:

§ 71.8 Boundary line between mountain and Pacific zones.

(d) *Operating exceptions—*(1) *Lines east of boundary excepted from mountain zone.* Those portions of the following lines of railroad located east of the zone boundary line described in this section, are, for operating purposes only, excepted from the U.S. standard mountain time zone and included within the U.S. standard Pacific time zone:

Railroad	From—	To—
Great Northern.	Troy, Mont.	Montana-Idaho State line.
Northern Pacific.	Paradise, Mont.	Do.
Southern Pacific.	Ogden, Utah.	Utah-Nevada State line.
Western Pacific.	Salt Lake City, Utah.	Do.
Do.....	Burmester, Utah.	Warner, Utah.

(2) *Lines west of boundary included in mountain zone.* Those portions of the following lines of railroad located west of the zone boundary line described in this section, are, for operating purposes only, excepted from the U.S. standard Pacific time zone and shall be included within the U.S. standard mountain time zone:

Railroad	From—	To—
Atchison, Topeka, & Santa Fe.	Colorado River.....	Southern limits of Needles, Calif.
Chicago, Milwaukee, & Union Pacific.	Montana-Idaho State line.	Avery, Idaho.
Do.....	Ontario, Oreg.	Burns, Oreg.
Do.....	Utah-Nevada State line (west of Uvada, Utah).	Northern limits of Las Vegas, Nev.
Do.....	Vale, Oreg.	Jamieson, Oreg.

(Act of Mar. 19, 1918, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267); section 6(e) (5) Department of Transportation Act (49 U.S.C. 1655(e) (5)) and 49 CFR Part 5, Appendix A(2))

[F.R. Doc. 69-4816; Filed, Apr. 23, 1969; 8:45 a.m.]

### Chapter III—Federal Highway Administration, Department of Transportation

#### SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

#### MISCELLANEOUS AMENDMENTS TO CHAPTER

In F.R. Doc. 68-15287 appearing as Part II of the issue for Wednesday, December 25, 1968, make the following changes in subchapter B of Chapter III, Motor Carrier Safety Regulations, to correct misprints and deletions:

#### PART 389—RULE MAKING PROCEDURE—MOTOR CARRIER SAFETY REGULATIONS

1. In § 389.5 on p. 19726, change the reference to § 305.25 to read “§ 389.25”.

#### PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

2. In § 393.12 on p. 19736, add the following paragraph below the side view diagram of the bus: “Lamps may be combined as permitted by § 393.22. Color of exterior lighting devices shall conform to requirements of § 393.25(e). Color or reflectors shall conform to requirements of § 393.26(d).”

3. In § 393.17 on p. 19739, delete the words “except as otherwise provided in this section” from the paragraph below the tow-bar diagram to illustrate § 393.17.

4. In § 393.20 on p. 19741, add the following sentence to the paragraph below the diagram to illustrate § 393.20 for mounting of lamps on vehicles without permanent top or sides: “Color of reflectors shall conform to requirements of § 393.26(d).”

5. In § 393.52(b) on p. 19745, in paragraph (a) of the note below the table, change “17 divided by 32.2 gives 53.8 percent.” to read “17 divided by 32.2 gives 52.8 percent.”

#### PART 395—HOURS OF SERVICE OF DRIVERS

6. In § 395.8 on pp. 19760 and 19761, change both references to § 323.8(o) in each of the two printed sample logs to read “395.8(o)”.

Issued on April 18, 1969.

F. C. TURNER,  
Federal Highway Administrator.

[F.R. Doc. 69-4903; Filed, Apr. 23, 1969; 8:49 a.m.]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

[ 7 CFR Part 28 ]

#### AMERICAN EGYPTIAN COTTON

##### Revision of Standards and Regulations

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that the Consumer and Marketing Service is considering revisions in the Official Cotton Standards of the United States for the Grade of American Egyptian Cotton (7 CFR 28.501-28.510), pursuant to authority contained in section 10 of the U.S. Cotton Standards Act, as amended (42 Stat. 1519; 7 U.S.C. 61).

*Statement of consideration.* The current grade standards for American Egyptian cotton have not been revised since 1956. Recent studies and surveys conducted by the Department indicate the current standards do not adequately reflect current production of American Egyptian cotton due to changes that have occurred since 1956 in varieties planted, harvesting methods and ginning practices. These standards consist of Grades 1 through 9 which are in physical form and Grade 10, a descriptive standard, which reads as follows:

##### § 28.510 Grade No. 10.

American Egyptian cotton which in grade is inferior to Grade No. 9 shall be designated as "American Egyptian Grade No. 10."

The Department in April 1969 invited a group representing cotton producers, ginner, shippers, and manufacturers to meet with its cotton standards staff for the purpose of developing a set of proposed revised standards. This group developed a set of revised standards that was acceptable to all members of the working group.

The proposed revised standards will be displayed and explained at public meetings beginning at 10 a.m. according to the following schedule:

Location	Date
Greenville, S.C., Dan River Mills Classing Office, Woodside Avenue and Main Street, West Greenville.	April 30
Gastonia, N.C., W. D. Lawson Co., 104 South Avon Street.	May 1
Phoenix, Ariz., USDA Cotton Classing Office, 2009 North 22d Avenue.	June 2
El Paso, Tex., USDA Cotton Classing Office, 5727 Trowbridge Street.	June 3
Dallas, Tex., USDA Cotton Classing Office, 1912 North Beckley.	June 4
Memphis, Tenn., USDA Cotton Classing Office, 4841 Summer Avenue.	June 5

The Department is also proposing to change the name of American Egyptian cotton to American Pima cotton. This change in name has been requested by the major producer organization and others in the industry. It is proposed that the new term American Pima would be substituted for the present term American Egyptian in 7 CFR 28.2 (o) and (p), 28.123, 28.303(b), 28.501 through 28.510, 28.525(b) and 28.908(b).

It is proposed that these revisions in the standards and regulations would be made effective July 1, 1970.

Any person may inspect the proposed standards and present oral comments on the proposed revisions at the meetings which shall be confirmed in writing for consideration. Written comments concerning the proposed revisions may also be filed in duplicate with the Office of the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, not later than June 13, 1969. All written submissions made pursuant to this notice of rule making shall be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27).

Dated: April 21, 1969.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 69-4906; Filed, Apr. 23, 1969; 8:49 a.m.]

## DEPARTMENT OF COMMERCE

### Patent Office

[ 37 CFR Part 1 ]

#### RULES OF PRACTICE IN PATENT CASES

##### Written Declaration

The Patent Office is considering a revision of the rule relating to the use of a written declaration. The proposed revision is designed to permit a declaration to be used in all situations where an oath is required.

Notice is hereby given, therefore, that under the authority contained in section 6 of the Act of July 19, 1952 (66 Stat. 792; 35 U.S.C. 6), the Patent Office proposes to amend Part 1 of Title 37, Code of Federal Regulations, by revising § 1.68 to read as follows:

##### § 1.68 Declaration in lieu of oath.

Any document to be filed in the Patent Office and which is required by any law, rule, or other regulation to be under oath may be subscribed to by a written declaration. Such declaration may be used in lieu of the oath otherwise required, if, and only if, the declarant is, on the same document, warned that willful false statements and the like are punishable

by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. The declarant must set forth in the body of the declaration that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

All persons who desire to submit written data, views, arguments, or suggestions for consideration in connection with this proposal are invited to forward the same to the Commissioner of Patents, Washington, D.C. 20531, on or before May 26, 1969. An oral hearing will not be scheduled.

EDWARD J. BRENNER,  
Commissioner of Patents.

Approved: April 18, 1969.

MYRON TRIBUS  
Assistant Secretary for  
Science & Technology.

[F.R. Doc. 69-4901; Filed, Apr. 23, 1969; 8:49 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[ 49 CFR Part 393 ]

[Docket No. MC-13; Notice No. 69-8]

#### REQUIREMENTS FOR RED FLAGS

##### Advance Notice of Proposed Rulemaking

A petition for rulemaking has been filed by the Safety Flag Co. of America seeking an amendment to § 393.95(k) of the Motor Carrier Safety Regulations. The amendment requested would require "fluorescent red flags" to be used, rather than "red flags" as presently required. The Safety Flag Co. claims that "Fluorescent colors are brighter than conventional colors. They are more visible and therefore safer \* \* \* Fluorescent colors have approximately four times the light energy as nonfluorescent colors." The petition also asks whether orange fluorescent flags could be acceptable.

Because this petition for rulemaking may have merit and may affect motor carrier safety, comments on relevant issues are requested to assist in arriving at a decision. The Administrator specifically requests comments on the following questions: (1) Do the red flags in normal use constitute an adequate daylight warning device for stopped vehicles? (2) Is there evidence to indicate that the use of fluorescent flags would increase the safety of operation of commercial vehicles? All comments should be accompanied by appropriate supporting data and information where practicable.



Interested persons are invited to submit written data, views, and arguments. Comments must identify the docket number, the notice number and be submitted in three copies to the Bureau of Motor Carrier Safety, Federal Highway Administration, Room 302A, Donohoe Building, Sixth and D Streets SW., Washington, D.C. 20591. All comments received on or before the close of business 90 days after the publication of this notice in the FEDERAL REGISTER will be considered by the Administrator. All comments will be available in the Rules Docket for examination both before and after the closing date for comments.

After consideration of the available data and comments, the Administrator will either deny the petition for rulemaking or issue an appropriate notice of proposed rulemaking.

This advance notice of proposed rulemaking is issued under the authority of section 204 of the Interstate Commerce Act, as amended (49 U.S.C. 304), section 6 of the Department of Transportation Act (49 U.S.C. 1655), and the delegation of authority by the Secretary to the Federal Highway Administrator (49 CFR 14(c)).

Issued in Washington, D.C., on April 17, 1969.

F. C. TURNER,  
Federal Highway Administrator.

[F.R. Doc. 69-4904; Filed, Apr. 23, 1969;  
8:49 a.m.]

## CIVIL AERONAUTICS BOARD

[14 CFR Parts 244, 296, 297, 399]

[Docket No. 20926; PSDR-23, EDR-159]

### PROCESSING OF APPLICATIONS BY LONG-HAUL MOTOR CARRIERS OF GENERAL COMMODITIES AS AIR FREIGHT FORWARDERS OR INTERNATIONAL AIR FREIGHT FORWARDERS

#### Notice of Proposed Rule Making

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to Parts 399, 296, 297, and 244 of the Board's Regulations (14 CFR Parts 399, 296, 297, 244) concerning the filing and processing of applications of long-haul motor carriers of general commodities for authorization as air freight forwarders or international air freight forwarders and applications of long-haul motor carriers of general commodities for approval of control of an air freight forwarder or international air freight forwarder. The principal features of the proposed amendments are further described in the explanatory statement, and the proposed amendments are set forth in the proposed rule. This regulation is proposed under the authority of sections 204(a), 101(3), 407, and 416 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 49 U.S.C. 1324; 72 Stat. 737, 49 U.S.C. 1301; 72 Stat. 766, 49 U.S.C. 1377; 72 Stat. 771, 49 U.S.C. 1386. It interprets or applies sections 102 and

408, 72 Stat. 740, 49 U.S.C. 1302; 72 Stat. 767, as amended by 74 Stat. 901, 49 U.S.C. 1378.

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter or communications received on or before May 23, 1969, will be considered by the Board before taking final action on the proposals. Copies of communications will be available for examination by interested persons in the Docket Section, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.<sup>1</sup>

[SEAL] HAROLD R. SANDERSON,  
Secretary.

**Explanatory statement.** In Order 69-4-100, dated April 21, 1969, issued concurrently herewith, the Board determined to authorize three long-haul motor carriers of general commodities or their subsidiaries to engage in air freight forwarding operations on an experimental basis for a temporary period. It also approved the resulting control and interlocking relationships. At the same time the Board announced that applications by other motor carriers to enter the forwarding field would be processed under regulations articulating a policy of monitored entry. The proposed regulations are intended to implement that policy.

In brief, these regulations provide that air freight forwarding authority may be granted to long-haul motor carriers of general commodities on an individual application basis, with or without hearing, upon a showing that (1) the applicant is capable of performing the proposed air transportation and of conforming to the Act and the regulations thereunder; (2) the applicant will conscientiously promote air cargo and will benefit air transportation; and (3) the applicant's operations, alone or together with those of other similar carriers granted air forwarding authority, will not result in creating a monopoly or monopolies and thereby restrain competition, or jeopardize another air carrier and will not otherwise be inconsistent with the public interest (Parts 399, 296, and 297). The regulations further provide for approval of applications of long-haul motor carriers of general commodities for control of air freight forwarders or international air freight forwarders, with or without a hearing, based upon similar criteria (Part 399). Finally, there will be new reporting requirements (Part 244) requiring motor carrier/air freight forwarders to disclose both their own and their surface affiliates' traffic in various classes of small shipments as well as other data which will indicate whether the applicants are stimulating new off-line business, increasing traffic from out-

<sup>1</sup> Vice Chairman Murphy's dissenting statement filed as part of the original document.

side present terminal areas, and receiving new traffic from their surface divisions or affiliates.

Specifically, this new class of air carriers will be required to file three additional schedules: (1) An "Originating Air Station Data" schedule to reflect the source and distribution of tons enplaned and deplaned at the originating air station, and data on the miles of surface movement of the air freight before and after its air transportation; (2) a "Supplemental Operating Statistics" schedule to provide the number and weight of those intermodal air freight shipments handled by both the air freight forwarder and the surface carrier who is its parent or affiliate or who operates as a separate division within the same corporate structure; (3) an "Analysis of Traffic by Weight Breaks" schedule to indicate, by specified weight breaks, the number and weight of shipments handled in air freight forwarding operations and the revenues received therefor; and (4) an annual report setting forth the location of each air freight forwarding station and each surface transport terminal at which air freight forwarding services are offered as well as certain personnel data relating to such stations and terminals.

Independent forwarders will also be required to file the "Originating Air Station Data" and the "Analysis of Traffic by Weight Breaks" so that the Board can evaluate the operations of independent and trucker-affiliated forwarders on a comparative basis.<sup>2</sup>

It is our intention to impose these requirements for a temporary period co-terminous with the term of the operating authorizations issued in the Motor Carrier-Air Freight Forwarder Investigation (Docket 16857, Order 69-4-100) and for the duration of any proceeding in which a renewal of the authorization is sought.

**Proposed rules.** It is proposed to amend Parts 399, 296, 297, and 244 of the Board's Regulations (14 CFR Parts 399, 296, 297, 244) as follows:

1. Amend Part 399 by adding to the table of contents a new section at the end of Subpart B, reading as follows:

Sec.  
399.21 Processing of applications of long-haul motor carriers for authority as air freight forwarders or international air freight forwarders.

2. Amend Part 399 by adding new § 399.21 to read as follows:

<sup>1</sup> The related long-haul motor carrier will also be required to file an "Analysis of Traffic by Weight Breaks" schedule containing applicable data relative to its long-haul motor carrier operations, for both the current quarter and the corresponding quarter of each of the preceding 5 years.

<sup>2</sup> The Board recognizes that the new reporting requirements may prove burdensome to some of the independent forwarders, particularly the smaller carriers. While the Board can waive the requirements for individual carriers, it may be that the rule itself should not apply to the entire class of independent forwarders. Comments on this issue should contain specific data regarding the burdens involved in preparation of the reports and specific proposals for delineating the exempted class of carriers.



**§ 399.21 Processing of applications of long-haul motor carriers for authority as air freight forwarders or international air freight forwarders.**

(a) *General.* This Policy Statement prescribes the procedures and general standards which the Board will use in processing applications of long-haul motor carriers of general commodities for authorization as air freight forwarders or international air freight forwarders. It will also apply to such motor carriers' applications for Board approval of the acquisition of control of such forwarders.

(b) *Definition of long-haul motor carrier.* As used in this section, the term "long-haul motor carrier" means a motor carrier holding operating rights issued by the Interstate Commerce Commission to haul general commodities between any pair of points which are over 500 air miles apart, or an affiliate<sup>1</sup> of such a carrier.

(c) *Applications for forwarding authority.* Where a long-haul motor carrier applies for authority as an air freight forwarder or an international air freight forwarder and submits a proposal to conscientiously promote air cargo in conformity with Part 296 or 297, the following will be the Board's policy in ordinary circumstances:

(1) The Board will process the application without hearing.

(2) The Board will not deem the size, geographical extent, or general commodity rights of the long-haul motor carrier's surface transport authorization and operations, of themselves, as factors indicating that the applicant's operations as an air freight forwarder or international air freight forwarder will result in creating a monopoly or monopolies, and thereby restrain competition or jeopardize any air carrier, or will otherwise be inconsistent with the public interest.

(d) *Applications for acquisition of control.* Where a long-haul motor carrier applies for Board approval to acquire control of an air freight forwarder or an international air freight forwarder and submits a proposal to conscientiously promote air cargo, the Board's policy in ordinary circumstances will be as follows:

(1) The Board will process the application without a hearing if it determines (i) that the transaction which is the subject of the application does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly and does not tend to restrain competition, and (ii) that no person disclosing a substantial interest then currently is requesting a hearing.

(2) The Board will not deem the size, geographical extent, or general commodity rights of the long-haul motor carrier's surface transport authorization and operations, of themselves, as factors indicating that the motor carrier's control of the air freight forwarder or international air freight forwarder will

result in creating a monopoly or monopolies, and thereby restrain competition or jeopardize another air carrier not a party to the consolidation, merger, purchase, lease, operating contract, or acquisition of control, or will otherwise be inconsistent with the public interest.

(e) *Exceptions.* (1) If the Board finds that the long-haul motor carrier has not made a prima facie showing that it will conscientiously promote air cargo, the Board may—

(i) Deny the application without hearing; or

(ii) Order a hearing.

(2) If the Board finds that the long-haul motor carrier has not made a prima facie showing that its operations (either alone or together with other similar carriers granted air forwarding authority) will not result in creating a monopoly or monopolies and thereby restrain competition or jeopardize another air carrier, or will not otherwise be inconsistent with the public interest, the Board may—

(i) Deny an application without hearing; or

(ii) Order a hearing.

(3) The Board may also order a hearing if any person demonstrates that he will present evidence which may contradict the prima facie showing of a long-haul motor carrier described in this paragraph.

(f) *Priority in processing applications and deferral of applications.* (1) Applications will not necessarily be scheduled for processing in the chronological order in which they are filed. In ordering its docket, the Board will give priority to those applications which appear best to effectuate the public interest, considering, among other things:

(i) The number of similar applications previously processed and pending;

(ii) The nature and extent of air freight forwarder services presently available at the cities in which applicant proposes to provide service;

(iii) The nature of any objections filed; and

(iv) The complexity of issues raised.

(2) The Board may defer action on any application or class of applications covered by this Policy Statement if it concludes that the public interest so requires.

3. Amend the table of contents of Part 296 by adding Subpart I entitled as follows:

**Subpart I—Authorization of Long-haul Motor Carriers of General Commodities as Air Freight Forwarders**

Sec.

296.80	Applicability of subpart.
296.81	Applicability of other subparts.
296.82	Applicability of policy statement.
296.83	Application for operating authorization.
296.84	Notice.
296.85	Objections.
296.86	Criteria for authorization.
296.87	Conditions.
296.88	Duration.
296.89	Revocation or suspension.

4. Amend § 296.1 by adding paragraphs (d) and (e) to read as follows:

**§ 296.1 Definitions.**

For the purposes of this part:

(d) "Long-haul motor carrier" means a motor carrier holding operating rights issued by the Interstate Commerce Commission to haul general commodities between any pair of points which are over 500 air miles apart, or an affiliate of such a carrier.

(e) An "affiliate" of a long-haul motor carrier or an air freight forwarder means a person who controls such carrier or is controlled by such carrier or by another person who controls or is controlled by such carrier. A person who owns, directly or indirectly, 20 percent or more of the outstanding issued capital stock of a carrier, in the absence of a proper showing to the Board that he does not control the carrier despite his stock ownership, shall be deemed to control the carrier for purposes of this part.

5. Amend Part 296 by adding Subpart I to read as follows:

**Subpart I—Authorization of Long-Haul Motor Carriers of General Commodities as Air Freight Forwarders**

**§ 296.80 Applicability of subpart.**

This subpart sets forth the special rules applicable to the processing of applications of long-haul motor carriers, as defined in § 296.1(d), for authorization to operate in their own names as air freight forwarders. The regulation does not govern requests of motor carriers for Board approval of control relationships created when they apply through subsidiaries for authorization as air freight forwarders.

**§ 296.81 Applicability of other subparts.**

Unless otherwise provided in this subpart, the provisions of Subparts A through C and E through H of this part shall be applicable to the processing of applications of long-haul motor carriers for authority to operate as air freight forwarders, and to the conduct of such operations.

**§ 296.82 Applicability of policy statement.**

The provisions of § 399.21 of the Board's policy statements (14 CFR Part 399) shall be applicable to the processing of applications of long-haul motor carriers for authority under this subpart.

**§ 296.83 Application for operating authorization.**

In addition to the requirements set forth in § 296.42, a long-haul motor carrier applicant must show:

(a) A plan to conscientiously promote air cargo. This showing shall include, inter alia:

(1) A statement as to whether the long-haul motor carrier plans to solicit existing surface customers for air cargo and, if so, the extent of such plans;

(2) A traffic estimate showing what traffic is newly generated or presently shipped by surface means;

<sup>1</sup> For the definition of "affiliate" see § 296.1(e), infra, p. 9.



(3) An estimate of what portion of the long-haul motor carrier's existing surface traffic is subject to diversion to air;

(4) An estimate of beyond-terminal-area traffic moving by surface transportation over the routes of the long-haul motor carrier or via interline agreements; and

(5) A statement of the proposed air cargo sales force and facilities.

(b) A statement of the long-haul motor carrier's authority from the Interstate Commerce Commission or other regulatory agency, including a description of surface transportation authorized and offered at the stations at which air forwarding operations are proposed.

(c) A statement of any other advantages which would result from approval of the application.

#### § 296.84 Notice.

Notice of applications will be published in the *FEDERAL REGISTER* and in the Board's weekly publication of applications filed.<sup>1</sup>

#### § 296.85 Objections.

Within thirty (30) days after publication of notice of application in the *FEDERAL REGISTER*, any interested person may file an objection thereto. The objection must set forth an adequate factual showing of—

(a) The party's interest in the matter;

(b) His reasons for believing that the long-haul motor carrier or its affiliate will not promote air cargo; and

(c) Any other reasons why the application does not meet the licensing criteria of § 296.86.

If a hearing is requested, the objection must set forth the economic data and other facts which the party will offer to prove.

#### § 296.86 Criteria for authorization.

The Board will approve the application if it appears that:

(a) The applicant is capable of performing the proposed air transportation and of conforming to the provisions of the Act and all rules and requirements thereunder;

(b) The applicant will conscientiously promote air cargo and will benefit air transportation; and

(c) The applicant's operations, alone or together with those of other similar carriers granted air forwarding authority, will not create a monopoly or monopolies and thereby restrain competition or jeopardize another air carrier, or otherwise be inconsistent with the public interest.<sup>2</sup>

#### § 296.87 Conditions.

An authorization may be limited geographically or by classes of traffic. Additional conditions and restrictions may be imposed without hearing.

<sup>1</sup>Requests for the weekly publication should be addressed to the Publications Section, Civil Aeronautics Board, Washington, D.C. 20428.

<sup>2</sup>Section 399.21 (Policy Statements) articulates decisional standards in this area (see, supra, p. 5, et seq.).

#### § 296.88 Duration.

Unless sooner suspended or revoked, an authorization will continue in effect until it expires by its terms or until this subpart is terminated or revoked.

#### § 296.89 Revocation or suspension.

The Board may institute proceedings to revoke the authorization of one or more long-haul motor carriers or a group of motor carriers if it has cause to believe that the continued operations of such carrier or carriers is contrary to the above-stated licensing criteria (§ 296.86). Pending completion of revocation proceedings, the Board may without hearing suspend or limit the authorization of such motor carrier or motor carriers in accordance with procedures specified by § 296.48.

6. Amend the table of contents of Part 297 by adding Subpart F to read as follows:

#### Subpart F—Authorization of Long-haul Motor Carriers of General Commodities as International Air Freight Forwarders

Sec.

297.60 Applicability of subpart.

297.61 Applicability of other subparts.

297.62 Applicability of policy statement.

297.63 Application for operating authorization.

297.64 Notice.

297.65 Objections.

297.66 Criteria for authorization.

297.67 Conditions.

297.68 Duration.

297.69 Revocation or suspension.

7. Amend § 297.1 by adding paragraphs (e) and (f) to read as follows:

#### § 297.1 Definitions.

For the purposes of this part:

(e) "Long-haul motor carrier" means a motor carrier holding operating rights issued by the Interstate Commerce Commission to haul general commodities between any pair of points which are over 500 air miles apart, or an affiliate of such a carrier.

(f) An "affiliate" of a long-haul motor carrier or an air freight forwarder means a person who controls such carrier or is controlled by such carrier or by another person who controls or is controlled by such carrier. A person who owns, directly or indirectly, 20 percent or more of the outstanding issued capital stock of a carrier, in the absence of a proper showing to the Board that he does not control the carrier despite his stock ownership, shall be deemed to control the carrier for purposes of this part.

8. Amend Part 297 by adding new Subpart F to read as follows:

#### Subpart F—Authorization of Long-Haul Motor Carriers of General Commodities as International Air Freight Forwarders

#### § 297.60 Applicability of subpart.

This subpart sets forth the special rules applicable to the processing of applications of long-haul motor carriers, as defined in § 297.1 (e), for authorization to operate in their own names as interna-

tional air freight forwarders. The regulation does not govern requests of motor carriers for Board approval of control relationships created when they apply through subsidiaries for authorization as international air freight forwarders.

#### § 297.61 Applicability of other subparts.

Unless otherwise provided in this subpart, the provisions of Subparts A through E of this part shall be applicable to the processing of applications of long-haul motor carriers for authority to operate as international air freight forwarders, and to the conduct of such operations.

#### § 297.62 Applicability of policy statement.

The provisions of § 399.21 of the Board's Policy Statements (14 CFR Part 399) shall be applicable to the processing of applications of long-haul motor carriers for authority under this subpart.

#### § 297.63 Application for operating authorization.

In addition to the requirements set forth in § 297.32, a long-haul motor carrier applicant must show:

(a) A plan to conscientiously promote air cargo. This showing shall include, inter alia:

(1) A statement as to whether the long-haul motor carrier plans to solicit existing surface customers for air cargo and, if so, the extent of such plans;

(2) A traffic estimate showing what traffic is newly generated or presently shipped by surface means;

(3) An estimate of what portion of the long-haul motor carrier's existing surface traffic is subject to diversion to air;

(4) An estimate of beyond-terminal-area traffic moving by surface transportation over the routes of the long-haul motor carrier or via interline agreements; and

(5) A statement of the proposed air cargo sales force and facilities.

(b) A statement of the long-haul motor carrier's authority from the Interstate Commerce Commission or other regulatory agency, including a description of surface transportation authorized and offered at the stations at which air forwarding operations are proposed.

(c) A statement of any other advantages which would result from approval of the application.

#### § 297.64 Notice.

Notice of applications will be published in the *FEDERAL REGISTER* and in the Board's weekly publication of applications filed.<sup>1</sup>

#### § 297.65 Objections.

Within thirty (30) days after publication of notice of application in the *FEDERAL REGISTER*, any interested person may file an objection thereto. The objection

<sup>1</sup>Requests for the weekly publication should be addressed to the Publications Section, Civil Aeronautics Board, Washington, D.C. 20428.



must set forth an adequate factual showing of—

- (a) The party's interest in the matter;
- (b) His reasons for believing that the long-haul motor carrier or its affiliate will not promote air cargo; and
- (c) Any other reasons why the application does not meet the licensing criteria of § 297.66.

If a hearing is requested, the objection must set forth the economic data and other facts which the party will offer to prove.

#### § 297.66 Criteria for authorization.

The Board will approve the application if it appears that:

- (a) The applicant is capable of performing the proposed air transportation and of conforming to the provisions of the Act and all rules and requirements thereunder;
- (b) The applicant will conscientiously promote air cargo and will benefit air transportation; and
- (c) The applicant's operations, alone or together with those of other similar carriers granted air forwarding authority, will not create a monopoly or monopolies and thereby restrain competition or jeopardize another air carrier, or otherwise be inconsistent with the public interest.\*

#### § 297.67 Conditions.

An authorization may be limited geographically or by classes of traffic. Additional conditions and restrictions may be imposed without hearing.

#### § 297.68 Duration.

Unless sooner suspended or revoked, an authorization will continue in effect until it expires by its terms or until this subpart is terminated or revoked.

#### § 297.69 Revocation or suspension.

The Board may institute proceedings to revoke the authorization of one or more long-haul motor carriers or a group of motor carriers if it has cause to believe that the continued operations of such carrier or carriers are contrary to the above-stated licensing criteria (§ 297.66). Pending completion of revocation proceedings, the Board may without hearing suspend or limit the authorization of such motor carrier or motor carriers in accordance with procedures specified by § 297.43.

9. Amend the table of contents of Part 244 by adding §§ 244.19a, 244.19b, 244.19c, and 244.19d entitled as follows:

Sec.

- 244.19a Originating air station data (Schedule T-4).
- 244.19b Supplemental operating statistics—long-haul motor carriers/air freight forwarders (Schedule T-5).
- 244.19c Analysis of traffic by weight breaks (Schedule T-6).
- 244.19d Report of location of air freight forwarding stations and surface transport terminals.

\* Section 399.21 (Policy Statements) articulates decisional standards in this area (see, supra, p. 5, et seq.).

10. Amend § 244.1 by defining the terms "affiliate" and "long-haul motor carrier" to read as follows:

#### § 244.1 Definitions.

An "affiliate" of a long-haul motor carrier or an air freight forwarder means a person who controls such carrier or is controlled by such carrier or by another person who controls or is controlled by such carrier. A person who owns, directly or indirectly, 20 percent or more of the outstanding issued capital stock of a carrier, in the absence of a proper showing to the Board that he does not control the carrier despite his stock ownership, shall be deemed to control the carrier for purposes of this part.

"Long-haul motor carrier" means a motor carrier holding operating rights issued by the Interstate Commerce Commission to haul general commodities between any pair of points which are over 500 air miles apart, or an affiliate of such a carrier.

11. Amend § 244.10 by adding subparagraph (4) to paragraph (b) and modifying paragraph (c) to read as follows:

#### § 244.10 General.

(b) The aforesaid report consists of a statement of certification and individual schedules to be filed therewith at various specified times. These schedules are identified as follows:

(4) Schedule T-4, Originating Air Station Data; T-5, Supplemental Operating Statistics—Long-haul Motor Carriers/Air Freight Forwarders; T-6, Analysis of Traffic by Weight Breaks; all to be filed quarterly.<sup>1</sup>

(c) The aforesaid schedules and certification shall be filed so as to be received by the Civil Aeronautics Board within forty-five (45) days after the termination of each prescribed quarterly, semiannual and annual period and, with respect to Schedule I, also within thirty (30) days after a change relative to insurance data previously reported. All documents filed in connection with the report shall be considered a part thereof and included within the certification pertaining to the report. The reports shall be addressed to the Board, attention of the Bureau of Accounts and Statistics.

12. Add new §§ 244.19a, 244.19b, 244.19c, and 244.19d to read as follows:

#### § 244.19a Originating air station data (Schedule T-4).

(a) The schedule of originating air station data shall be filed by all air freight forwarders and international air freight forwarders. It is designated as Schedule T-4 of CAB Form 244, and shall be prepared for each calendar quarterly period and filed with the Board as provided in § 244.10.

(b) Schedule T-4 shall be filed separately with respect to domestic and overseas/foreign air operations. The schedule shall reflect the source and distribution

of tons enplaned and deplaned (exclusive of reconsolidations) at the originating air station, and data on the miles of surface movement of the air freight before and after its air transportation. All the aforesaid categories shall be itemized and subdivided as shown by Schedule T-4 and the instructions thereon.

#### § 244.19b Supplemental operating statistics—long-haul motor carriers/air freight forwarders (Schedule T-5).

(a) The schedule of supplemental operating statistics shall be filed by (1) long-haul motor carriers of general commodities which are authorized to operate as air freight forwarders or international air freight forwarders, and (2) air freight forwarders or international air freight forwarders which are affiliates of long-haul motor carriers. It is designated as Schedule T-5 of CAB Form 244, and shall be prepared for each calendar quarterly period and filed with the Board as provided in § 244.10.

(b) Schedule T-5 shall cover where applicable both domestic and overseas/foreign air operations. With respect to combination surface/air operations of the forwarder, the schedule shall reflect the number and weight of (1) shipments which the reporting forwarder received from or delivered to an affiliated long-haul motor carrier prior or subsequent to transporting them in its air freight forwarding operations, and (2) shipments which the reporting carrier accepted for air freight forwarding, but substituted other than air means for their transportation. With respect to other air operations by the forwarder, the schedule shall reflect the number and weight of all shipments tendered by the reporting carrier to direct air carriers in a capacity other than as a freight forwarder (shipper's agent or agent for direct air carrier). All the aforesaid categories shall be itemized and subdivided as shown by Schedule T-5 and the instructions thereon.

#### § 244.19c Analysis of traffic by weight breaks (Schedule T-6).

(a) The schedule of analysis of traffic by weight breaks shall be filed by all air freight forwarders, international air freight forwarders, and long-haul motor carriers affiliated therewith or operating as a separate division within the forwarder's corporate structure. It is designated as Schedule T-6 of CAB Form 244, and shall be prepared for each calendar quarterly period and filed with the Board as provided in § 244.10. In addition, each long-haul motor carrier shall report applicable data (insofar as they are available) relative to its long-haul motor carrier operations for the corresponding quarter of each of the preceding five years.

(b) Separate schedules shall be filed with respect to air operations and surface operations. The schedule shall apply only to domestic operations and shall reflect, in the specified weight breaks, the number and weight of shipments and the revenues received therefor, as well as the percentage of the total represented by each weight break in the three main categories—number of shipments, tonnage of shipments, and revenue derived

<sup>1</sup> Schedules filed as part of the original document.



from shipments. All the aforesaid categories shall be itemized and subdivided as shown by Schedule T-6 and the instructions thereon.

**§ 244.19d Report of location of air freight forwarding stations and surface transport terminals.**

Each long-haul motor carrier holding an authorization to operate as an air freight forwarder or international air freight forwarder and each air freight forwarder or international air freight forwarder which is an affiliate of a long-haul motor carrier shall file with the Board's Bureau of Accounts and Statistics, Washington, D.C. 20428, within 45 days after the close of each calendar year, a report showing as of December 31 of such year the location of each specialized air freight forwarding station and of each surface transport terminal at which air freight forwarding services are offered. The statement shall indicate, for each station or terminal, the number of drivers, salesmen, and other personnel who are assigned to promote air freight exclusively.

[F.R. Doc. 69-4929; Filed, Apr. 23, 1969; 8:51 a.m.]

## FEDERAL TRADE COMMISSION

### [ 16 CFR Part 250 ]

#### PROPOSED GUIDES FOR THE HOUSEHOLD FURNITURE INDUSTRY

##### Notice of Opportunity To Present Written Views, Suggestions or Objections

Proposed Guides for the Household Furniture Industry are hereinafter set forth and are today made public by the Commission for consideration by industry members and other interested or affected parties pursuant to the Federal Trade Commission Act as amended, 15 U.S.C. secs. 41-58, and the provisions of Part 1, Subpart A, of the Commission's procedures and rules of practice, 16 CFR 1.5, 1.6.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations or other parties affected by or having an interest in the proposed Guides for the Household Furniture Industry, to present to the Commission their views concerning the Guides, including such pertinent information, suggestions, or objections as they may desire to submit. For this purpose, copies of the proposed Guides, which are advisory in nature as to the applicability of legal requirements, may be obtained upon request to the Commission. Such data, views, information, and suggestions may be submitted by letter, memorandum, brief, or other written communication not later than May 26, 1969, to the Chief, Division of Industry Guides, Bureau of Industry Guidance, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. 20580. Written comments received in the proceeding will

be available for examination by interested parties at the Commission's Washington address and will be fully considered by the Commission.

Text of the Proposed Guides follows:

NOTE: These Guides have not been approved by the Federal Trade Commission. They are a draft of Proposed Guides which are made available to all interested or affected parties for their consideration and for submission of such views, suggestions, or objections as they may care to present, due consideration to which will be given by the Commission before proceeding to final action on the Proposed Guides.

The Commission from time to time, publishes Guides to advise the business community of the Commission's views as to the requirements of laws which it administers. Guides are published in the belief that the businessman who is fully informed of the legal pitfalls he may encounter can conduct his affairs so as to avoid legal difficulties. It is the Commission's further belief that the more knowledge businessmen have respecting the laws it administers, the more likelihood there is that they will conduct their business in accordance therewith.

Revised trade practice rules for the Household Furniture Industry were promulgated by the Commission in December 1963. Since that time changes in industry technology and widespread practices found in the industry that were not adequately dealt with in the rules made revisions of certain portions of the rules advisable. Thus, these Guides, a revision of the 1963 trade practice rules, are reflective of existing technology and practices in the industry and, in both their form and contents, are designed to assist industry members and protect the public interest.

While the Guides are interpretive of laws administered by the Commission and thus are advisory in nature, proceedings to enforce the requirements of law as explained in the Guides may be brought under the Federal Trade Commission Act (15 U.S.C. secs. 41-58) and the Clayton Act, as amended by the Robinson-Patman Act (15 U.S.C. sec. 13). Briefly stated, the Federal Trade Commission Act makes it illegal for one to engage in "unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce." The applicable provisions of the amended Clayton Act are referred to, where appropriate, in the Guides.

The content of these Guides is not to be construed as an expression of opinion concerning the relative merits of the various materials used in the manufacture of the products of this industry. Rather, the disclosure provisions of the Guides are intended to insure that the consumer is not deceived into thinking he is getting one material when actually he is furnished another.

#### Sec.

- 250.0 Definitions.
- 250.1 Deception.
- 250.2 Use of wood names.
- 250.3 Identity of woods.
- 250.4 Leather and leather imitations.
- 250.5 Outer coverings.

#### Sec.

- 250.6 Stuffing (including filling, padding, etc.).
- 250.7 Origin and style of furniture.
- 250.8 Deception as to being new.
- 250.9 Misuse of the terms "floor sample", "discontinued model", etc.
- 250.10 Deceptive pricing.
- 250.11 Bait advertising.
- 250.12 Guarantees, warranties, etc.
- 250.13 Passing off through imitation or simulation of trademarks, trade names, etc.
- 250.14 Misrepresentation as to character of business.
- 250.15 Push money.
- 250.16 Commercial bribery.
- 250.17 Exclusive dealing.
- 250.18 Trade restraints (price fixing, etc.).
- 250.19 Other discrimination.

AUTHORITY: The provisions of this part 250 issued under 38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended.

#### § 250.0 Definitions.

(a) *Industry member.* Any person, firm, corporation or organization engaged in the manufacture, sale or distribution of industry products as such products are hereinafter defined.

(b) *Industry products.* Articles of utility, convenience or decoration which are suitable for use as furniture in a house, apartment, or other dwelling place. Such articles include, but are not limited to, all kinds and types of chairs, tables, cabinets, desks, sofas, bedsteads, and chests. The following products, covered by sets of trade practice rules heretofore promulgated, are not to be considered as coming within the purview of this definition: Bed mattresses, bed-springs, metal cots, cedar chests, mirrors, musical instruments, radio and television receiving sets, and venetian blinds. Also excluded from the purview of this part are pictures, lamps, clocks, rugs, draperies, as well as appliances and fixtures such as refrigerators and air conditioners.

(c) *Exposed surfaces.* Those parts and surfaces of furniture exposed to view when such furniture is placed in the generally accepted position for use. Included in this definition are visible backs of such items of furniture as open bookcases, hutches, etc.

#### § 250.1 Deception.

(a) *In general.* Members of the industry should not distribute any industry product under any representation or circumstance, including failure to disclose material facts, that has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers with respect to its utility, construction, composition, durability, design, style, quality, quantity or number of items, model, origin, manufacture, price, grade, or in any other material respect.

(b) *Affirmative disclosures.* Material facts concerning merchandise which, if known to prospective purchasers, would influence their decision of whether or not to purchase, should be disclosed. This includes situations where deception may result from the appearance alone which



in the absence of affirmative disclosures has the capacity and tendency or effect of misleading or deceiving. For example, veneered construction, use of plastic with simulated wood appearance, use of materials or products that simulate other materials or products traditionally used in the manufacture of furniture, or simulated finish or grain design, are considered to be material facts and a failure to disclose such information may be an unfair trade practice violative of section 5 of the Federal Trade Commission Act.

(1) *Where disclosures should be made.* Unless otherwise provided, any affirmative disclosure which should be made under this part, should be on the industry product, or on a tag or label attached thereto, and shall be of such permanency as to remain on or attached to the product until consummation of its consumer sale. Such disclosures should also appear in all advertising relating to such industry product, irrespective of the media used, whenever statements, representations or depictions are used in such advertising which, in the absence of such disclosures, have the capacity to deceive or mislead purchasers or prospective purchasers.

(2) *The manner of disclosure.* In all cases in which the disclosure should be made, it should be made in close conjunction with the representation or depiction to be qualified and should be of sufficient clarity, conspicuousness, and audibility (when spoken), as to be noted by prospective purchasers.

(3) *The form of disclosure with respect to composition.* Whenever an affirmative disclosure with respect to composition should be made under this part, it may be accomplished by either describing the true composition of the product or parts thereof ("plastic," "vinyl," "marble particles with binder") or by stating that the material is not what it appears to be ("simulated wood," "imitation leather," "simulated marble"). Terms such as "molded components," "walnut plastic" or "simulated mahogany" will not suffice. Trade names, as such, will not constitute an affirmative disclosure as provided by this section. Trade names, however, may be accompanied by appropriate disclosures of the true composition of the material, or by statements that the material is not what it appears to be. Trade names of misleading or deceptive nature (e.g., suggesting a material or a product which is being simulated) should not be used.

*Examples of affirmative disclosures of composition and appearance.* The following examples are among those which, if factually correct, will meet the provisions of this section with respect to affirmative disclosures:

1. When furniture is of veneered construction: "Veneered construction," "(wood name) solids and veneers," "(wood name) veneered tops, fronts and end panels," "(wood name) veneered 5-ply construction;"

2. The use of plastics or other materials having the appearance of wood: "High impact virgin polystyrene," "door panels of polystyrene," "legs of rigid polyurethane," "walnut grained plastic tops," "parts of the exposed surfaces are of simulated wood" (to describe minor parts of the exposed surfaces of furniture), "imitation wood," "carved ef-

fects of simulated wood," or "simulated wood components;" "wood grained vinyl veneer," "walnut grained hardboard," "simulated wood effect on chipcore," or "simulated wood effect on plastic;"

3. Simulated leather, slate, marble: "Vinyl," "leather look on vinyl," "simulated leather," "slate grained plastic tops," "simulated slate," "simulated marble," or "marble dust and polyester binder;"

4. Simulated wood grain design: "Simulated wood grain design," "cherry grained maple," "simulated mahogany crotch on mahogany veneer," "Carpenterian Elm burl effect," or "engraved cathedral walnut grain on hardboard."

(c) *Removal of tags or labels.* Members of the industry should not:

(1) Remove, obliterate, deface, change, alter, conceal, or make illegible any information this part provides be disclosed on industry products, or on tags or labels attached thereto, without replacing the same before sale, resale or distribution for sale with a proper tag or label meeting the provisions of this part; or

(2) Sell, resell, or distribute an industry product without it being marked, tagged or labeled and described in accordance with the provisions of this part. [Guide 1]

#### § 250.2 Use of wood names.

(a) *Solid wood.* Industry members should not use unqualified wood names to describe furniture unless the exposed surfaces of such furniture are constructed of solid wood of the type named. If more than one type of solid wood is used and one of such woods is named, all the principal woods should be disclosed, or the extent of the use of the first wood named should be indicated. In lieu of naming the specific woods, a general designation of the type of wood, such as "hardwood" or "softwood" may be used. For example, the following representations, if factually correct, will be acceptable: "Solid maple," "solid African mahogany," "maple and/or birch," "oak and pecan," "solid oak fronts," "oak and other selected hardwoods," and "selected hardwoods."

(b) *Wood veneers.* When the exposed surfaces of furniture are of veneered and solid construction, and wood names are used to describe such furniture, the wood names should be qualified to disclose the fact of veneered construction. For example, "walnut solids and veneers" or "mahogany veneered construction" may be used when all the exposed surfaces of furniture are constructed of solid and veneered wood of the type named. When such terms as "walnut veneered construction" or "oak veneered construction" are used, it is understood that solid parts are composed of the same wood. Otherwise, a disclosure should be made as in the examples below or by stating, for example, "walnut veneers and other selected hardwoods." When solid parts of furniture are of woods other than those used in veneered surfaces, either the use of such other woods should be disclosed or the location of the veneers stated. Examples: "Walnut veneers and pecan solids," "mahogany veneers and African mahogany solids," "walnut veneered tops, fronts and end panels,"

"table tops of mahogany veneers," or "cherry veneers and selected solid hardwoods."

(c) *Wood products.* Wood names or names suggesting wood should not be used to refer to materials which while produced from wood particles or fibers, do not possess a natural wood growth structure. Such materials, however, may be referred to by their generally accepted names, if otherwise nondeceptive, such as "hardboard," "chipcore," or "fiberboard," or may be referred to as "wood products."

(d) *Color or grain design finish.* When wood names are used merely to describe a color of a stain finish or grain design or other simulated finish applied to the exposed surfaces of furniture that is composed of something other than solid wood of the types named, it must be made clear that such wood names are merely descriptive of such color or grain design or other simulated finish. Terms such as "walnut finish" or "fruitwood finish" will not suffice. However, terms such as "walnut color," "fruitwood stain finish," "maple finish on birch solids and veneers," "walnut finish on walnut veneers and selected hardwoods," "cherry grained maple drawer fronts," "walnut finish plastic top" or "maple stained hardwoods" will be considered acceptable, when factually correct.

(e) *Materials simulating wood.* No wood names should be used to describe any materials simulating wood without making it clear that such wood names are merely descriptive of the color, grain design, or other simulated finish; nor should any trade names or coin names be employed which may suggest that such materials are some kind of wood or wood product. See § 250.1(b) *Affirmative disclosures*, for guidance with respect to the disclosure of such materials. [Guide 2]

#### § 250.3 Identity of woods.

Industry members should not use any direct or indirect representation concerning the identity of the wood in items of furniture that is false or that is likely to mislead purchasers as to the actual wood composition of such furniture.

(a) *Walnut.* The unqualified term "walnut" should not be used as the name or designation of wood other than genuine walnut (genus *Juglans*).

(b) *Mahogany.* The term "mahogany" should not be used unqualifiedly as the name or designation of wood unless the wood so described is genuine mahogany (genus *Swietenia* of the *Meliaceae* family). The woods of genus *Swietenia* may be described by the term "mahogany" with or without a prefix designating the country or region of its origin, such as "Honduras mahogany," "Costa Rican mahogany," "Brazilian mahogany," or "Mexican mahogany."

NOTE 1: The word "mahogany" may be used to name or designate wood of the genus *Khaya*, of the *Meliaceae* family, but only when prefixed by the word "African" (e.g., "African mahogany desk").

NOTE 2: In naming or designating the non-mahogany Philippine woods Tanguile, Red Luan, White Luan, Tiaong, Almon, Mayapis, and Bagtikan, the word "mahogany" may



be used but only when prefixed by the word "Philippine" (e.g., "Philippine mahogany table"), due to the long standing usage of that term. Examples of improper use of the word "mahogany" under this section would include reference to Red Lauan as "Lauan mahogany" or to White Lauan as "Blond Lauan mahogany." Such woods, however, may be described unqualifiedly as "Red Lauan" or "Lauan" or "White Lauan," respectively. (The word "mahogany," with or without qualifications, should not be used to name or designate any other wood except as provided above. This applies also to any of the woods belonging to the Meliaceae family, other than genera Swietenia and Khaya.)

(c) *Maple.* The terms "hard maple", "rock maple", "bird's-eye maple", "Northern maple" or other terms of similar nature should not be used to describe woods other than those known under the lumber trade names of Black Maple (*Acer nigrum*) and Sugar Maple (*Acer saccharum*). [Guide 3]

#### § 250.4 Leather and leather imitations.

(a) Members of the industry should not make any direct or indirect representation concerning furniture or parts thereof covered with leather or other material which simulates leather, which is false or misleading.

(b) Included in, but not limited to, representations which should not be made is the use of any trade name, coined name, trademark, or other word or term, or any depiction or device, which has the capacity and tendency or effect of misleading prospective purchasers into believing that furniture is covered in whole or in part with the skin or hide of an animal or that the covering of furniture is leather, top grain leather, or split leather, when such is not the case. When a furniture covering is made from ground, shredded, pulverized or powdered leather, industry members shall conspicuously disclose such fact in a manner provided for under § 250.1.

(c) In the case of nonleather material having the appearance of leather, industry members should conspicuously disclose facts concerning the composition thereof either by identifying the composition of the product (e.g., "vinyl covering," "upholstered in plastic") or by a disclosure that the product is not leather (e.g., "imitation leather," "not leather"), as provided for under § 250.1. [Guide 4]

#### § 250.5 Outer coverings.<sup>1</sup>

(a) In connection with the sale of furniture, members of the industry should

not use any direct or indirect representation concerning the outer covering thereof which:

(1) Is false (e.g., using the term "Mohair" to describe a fabric not produced from fibers derived from the angora goat); or

(2) Has the capacity and tendency or effect of deceiving furniture purchasers (e.g., by telling a half-truth, such as using the unqualified word "Nylon" to describe a blend of nylon and other fibers).

(b) When any identifying reference is made in advertising to an outer covering made of a mixture of different kinds of fibers, each constituent fiber present in substantial quantity (at least 5 percent) should be designated in the order of its predominance by weight (e.g., "cotton and nylon") in a manner provided for in § 250.1. If a fiber so designated is not present in a substantial quantity (less than 5 percent) the percentage thereof shall be stated (e.g., "cotton, rayon, 3% nylon").

(c) When any identifying reference is made on a tag or label to an outer covering made of a mixture of different kinds of fibers, each and every kind of fiber present in such outer covering should be identified by showing the fiber content with percentages of the respective fibers in order of their predominance by weight (e.g., "55% Cotton, 45% Rayon"). In the case of pile fabrics, identification of the fiber content should be made on a tag or label by stating:

(1) The fiber content of the face or pile and of the back or base, with percentages of the respective fibers in order of their predominance by weight and the respective percentages of the face and back showing the ratio between face and back (e.g., "Face 60% Rayon, 40% Nylon—Back 100% Cotton; Back constitutes 80% of fabric and face 20%"); or

(2) The percentages of the fibers of the face or pile and the back or base in relation to the total weight of the fabric (e.g., "40% Cotton, 40% Rayon, 20% Nylon" to describe a fabric having an all nylon pile constituting 20% of the total weight backed by a 50%-50% blend of cotton and rayon). [Guide 5]

#### § 250.6 Stuffing (including filling, padding, etc.).

(a) Members of the industry should not make any direct or indirect representation relating to the stuffing of furniture which:

(1) Is false (e.g., describing cotton stuffing as "wool", or urethane foam as "latex foam rubber"); or

(2) Has the capacity and tendency or effect of deceiving or misleading (e.g., by telling a half-truth, such as describing shredded or flaked foam rubber stuffing as "foam rubber" without disclosing, in a manner provided for under § 250.1, that it is shredded or flaked, or describing any nonlatex foam cushion as "foam" without disclosing the kind of foam used, such as "urethane foam").

(d) The unqualified terms "foam," "Latex," or "Latex Foam Rubber," or

other terms of similar import, should not be used as descriptive of any part of the filling of an upholstery which does not consist of one or more homogeneous pads of latex foam rubber.

(ii) When an upholstered industry product contains filling material consisting of a top layer of homogeneous latex foam rubber, or of other type of stuffing which is of substantial thickness, and another layer or layers of other material, terms such as "latex foam rubber," "polyurethane foam," or other terms which accurately describe the composition of such top layer may be used as descriptive thereof, provided however, that in immediate conjunction therewith, non-deceptive disclosure is made of the fact that only a part of such filling material is of latex foam rubber or such other type of designated stuffing.

(iii) When the filling is composed, in whole or in part, of latex foam rubber, polyurethane foam, or other type of stuffing which has been shredded, flaked, or ground, full and nondeceptive disclosure should be made of such fact in immediate conjunction with any such term irrespective of whether the pieces or shreds of latex foam rubber, polyurethane foam, or other type of stuffing are in loose form or are held together by glue or some other adhesive agent.

NOTE: This section is promulgated under the Federal Trade Commission Act for the purposes of interpreting requirements of such Act and to assist in the general enforcement of the Act. The section is not to be construed as relieving industry members from full compliance with applicable state and local legal requirements.

[Guide 6]

#### § 250.7 Origin and style of furniture.

(a) Industry members should not make any direct or indirect representation which is false or likely to deceive prospective purchasers of furniture as to the origin, either domestic or foreign, of such furniture.

(1) For example, furniture manufactured in the United States should not be unqualifiedly described as "Danish" but may, when appropriate, be described as "Danish Design" or "Danish Modern".

(2) Similarly, furniture should not be represented by trade name or otherwise as being manufactured in the Grand Rapids, Mich., area or in any other furniture producing area, when such is not the fact.

(3) Because of long usage and general understanding by the furniture buying public, terms such as "French Provincial," "Italian Provincial," "Chinese Chippendale," "Spanish," "English," or "Mediterranean" are considered to have acquired a secondary meaning as descriptive of the style of furniture so described. Thus, the unqualified use of such terminology, when appropriate, would not be considered deceptive.

(b) In connection with the sale of furniture of foreign manufacture, members of the industry should clearly and conspicuously disclose the fact that such furniture was manufactured in an identified foreign country, when the failure to

<sup>1</sup>Section 12(a)(2) of the Textile Fiber Products Identification Act (72 Stat. 1717; 15 U.S.C. 70) specifically exempts "outer coverings of furniture \* \* \*" from the application of the Act. Section 14 of the same Act provides that the Act "shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of the United States." Therefore, corrective action involving deceptive practices in the sale of furniture would when warranted be initiated under the authority of section 5 of the Federal Trade Commission Act which prohibits "unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce."



make such disclosure has the capacity and tendency or effect of deceiving prospective purchasers of such products. The disclosure of foreign origin, when required, should be in the form of a legible marking, stamping, or labeling on the furniture, and shall be of such size, conspicuousness and degree of permanency, as to be and remain noticeable and legible upon casual inspection until consumer purchase. [Guide 7]

#### § 250.8 Deception as to being new.

(a) Industry members should not make any direct or indirect representation that an industry product is new unless such product is composed entirely of unused materials and parts.

(b) In connection with the sale of furniture which has the appearance of being new but which contains used materials or parts, such as springs, latex foam rubber stuffing, or hardware, members of the industry should conspicuously disclose, in a manner provided for in § 250.1, such fact (e.g., "cushions made from reused shredded latex foam rubber").

NOTE: See also § 250.9.

[Guide 8]

#### § 250.9 Misuse of the terms "floor sample," "discontinued model," etc.

(a) Representations that furniture is a "floor sample," "demonstration piece," etc., should not be used to describe "trade-in," repossessed, rented or any furniture except that displayed for inspection by prospective purchasers at the place of sale for the purpose of determining their preference and its suitability for their use.

(b) Furniture should not be described as "discontinued" or "discontinued model" unless the manufacturer has in fact discontinued its manufacture or the industry member offering it for sale will discontinue offering it entirely after clearance of his existing inventories of furniture so described. [Guide 9]

#### § 250.10 Deceptive pricing.

Members of the industry should not represent directly or indirectly in advertising or otherwise that an industry product may be purchased for a specified price, or at a saving, or at a reduced price, when such is not the fact; or otherwise deceive purchasers or prospective purchasers with respect to the price of any product offered for sale; or furnish any means or instrumentality by which others engaged in the sale of industry products may make any such representation.

NOTE: The Commission's Guides Against Deceptive Pricing furnish additional guidance respecting price savings representations and are to be considered as supplementing this section. See 16 CFR Part 233 for the Guides Against Deceptive Pricing.

[Guide 10]

#### § 250.11 Bait advertising.

(a) Industry members should not offer for sale any industry product when the offer is not a bona fide effort to sell

the product so offered as advertised and at the advertised price.

(b) In determining whether there has been a violation of this section consideration will be given to acts or practices indicating that the offer was not made in good faith for the purpose of selling the advertised product, but was made for the purpose of contacting prospective purchasers and selling them a product or products other than the product offered. Among acts or practices which will be considered in making that determination are the following:

(1) The creation, through the initial offer or advertisement, of a false impression of the grade, quality, make, value, currency of model, size, usability, or origin of the product offered;

(2) The refusal to show, demonstrate, or sell the product offered in accordance with the terms of the offer;

(3) The disparagement, by acts or words, of the product offered;

(4) The showing, demonstrating, and in the event of sale, the delivery, of a product which is unusable or impractical for the purpose represented or implied in the offer;

(5) The refusal, in the event of sale of the product offered, to deliver such product to the buyer within a reasonable time thereafter;

(6) The failure to have available a quantity of the advertised product at the advertised price sufficient to meet reasonably anticipated demands;

(7) The use of a sales plan or method of compensation for salesmen or penalizing salesmen designed to prevent or discourage them from selling the advertised product.

NOTE: It is not necessary that each act or practice set forth above be present in order to establish that a particular offer is not in accord with this section.

[Guide 11]

#### § 250.12 Guarantees, warranties, etc.

(a) Industry members should not represent in advertising or otherwise that a product is "guaranteed" without clear and conspicuous disclosure of:

(1) The nature and extent of the guarantee, and

(2) Any material conditions or limitations in the guarantee which are imposed by the guarantor, and

(3) The manner in which the guarantor will perform thereunder, and

(4) The identity and the address of the guarantor.

(b) Representations that a product is guaranteed for life or has a lifetime guarantee, in addition to meeting the above requirements, should contain a conspicuous disclosure of the meaning of "life" or "lifetime" as used (whether that of the purchaser, the product or otherwise).

(c) Guarantees should not be used which under normal conditions are impractical of fulfillment or which are for such a period of time or are otherwise of such nature as to have the capacity and tendency of misleading purchasers or prospective purchasers into the belief that the product so guaranteed has a

greater degree of serviceability, durability or performance capability in actual use than is true in fact.

(d) This selection has application not only to "guarantees" but also to "warranties," to purported "guarantees" and "warranties," and to any promise or representation in the nature of a "guarantee" or "warranty."

NOTE: The Commission's Guides Against Deceptive Advertising of Guarantees furnish additional guidance respecting guarantee representations and are to be considered as supplementing this section. See 16 CFR Part 239 for Guides Against Deceptive Advertising of Guarantees.

[Guide 12]

#### § 250.13 Passing off through imitation or simulation of trademarks, trade names, etc.

Members of the industry should not mislead or deceive purchasers by passing off the products of one industry member as and for those of another through the imitation or simulation of trademarks, trade names, brands, or labels. (See also § 250.14.) [Guide 13]

#### § 250.14 Misrepresentation as to character of business.

Members of the industry should not represent, directly or by implication, in advertising or otherwise, that they produce or manufacture products of the industry, or that they own or control a factory making such products, when such is not the fact, or that they are a manufacturer, wholesale distributor or a wholesaler when such is not the fact, or in any other manner misrepresent the character, extent, or type of their business. [Guide 14]

#### § 250.15 Push money.

An industry member should not pay or contract to pay anything of value to a salesperson employed by a customer of the industry member, as compensation for, or as an inducement to obtain, special or greater effort or service on the part of the salesperson in promoting the resale of products supplied by the industry member to the customer:

(a) When the agreement or understanding under which the payment or payments are made or are to be made is without the knowledge and consent of the salesperson's employer; or

(b) When the terms and conditions of the agreement or understanding are such that any benefit to the salesperson or customer is dependent on lottery; or

(c) When any provision of the agreement or understanding requires or contemplates practices or a course of conduct unduly and intentionally hampering sales of products of competitors of an industry member; or

(d) When, because of the terms and conditions of the understanding or agreement, including its duration, or the attendant circumstances, the effect may be substantially to lessen competition or tend to create a monopoly; or

(e) When similar payments are not accorded to salespersons of competing customers on proportionally equal terms



in compliance with sections 2 (d) and (e) of the Clayton Act.

**NOTE:** Payments made by an industry member to a salesperson of a customer under any agreement or understanding that all or any part of such payments is to be transferred by the salesperson to the customer, or is to result in a corresponding decrease in the salesperson's salary, are not to be considered within the purview of this section, but are to be considered as subject to the requirements and provisions of section 2(a) of the Clayton Act, as interpreted by paragraph (a) of § 250.19.

[Guide 15]

#### § 250.16 Commercial bribery.

Members of the industry should not give, or offer to give, or permit or cause to be given, directly or indirectly, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Guide 16]

#### § 250.17 Exclusive dealing.

Members of the industry should not contract to sell or sell industry products or fix a price charged thereof, or discount from, or rebate upon, such price, on the condition, agreement, or understanding that the purchaser thereof shall not use or deal in the products of a competitor or competitors of such industry member, where the effect of such sale or contract for sale, or of such condition, agreement, or understanding, may be substantially to lessen competition or tend to create a monopoly in any line of commerce. [Guide 17]

#### § 250.18 Trade restraints (price fixing, etc.).<sup>2</sup>

Members of the industry, either directly or indirectly, should not engage in any planned common course of action, or enter into or take part in any understanding, agreement, combination, or conspiracy, with one or more members of the industry, or with any other person or persons, to fix or maintain the price of any industry products or otherwise unlawfully to restrain trade; or use any form of threat, intimidation, or coercion to induce any member of the industry or other person or persons to engage in any such planned common course of action, or become a party to any such understanding, agreement, combination or conspiracy. [Guide 18]

<sup>2</sup> The provisions of this section are subject to Public Law 542, approved July 14, 1952, 66 Stat. 632 (the McGuire Act, commonly referred to as the Fair Trade Amendment) which provides that with respect to a commodity which bears, or the label or container of which bears, the trademark, brand,

#### § 250.19 Other discrimination.

(a) *Discriminatory prices, rebates, discounts, etc.* No member of the industry engaged in commerce, in the course of such commerce, should grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce, and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and are not purchased by U.S. Government, State and local government entities or by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use;

(2) That nothing contained in paragraph (a) of this section shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

**NOTE:** Cost justification under the above proviso (2) depends upon savings in cost based on all facts relevant to the transactions under the terms of this proviso. For example, if a seller regularly grants a discount based upon the purchase of a specified quantity by a single order for a single delivery, and this discount is justified by cost differences, it does not follow that the same discount can be cost justified if granted to a purchaser of the same quantity by multiple orders or for multiple deliveries.

(3) That nothing contained in this section shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing contained in paragraph (a) of this section shall prevent

or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, a seller of such a commodity may enter into a contract or agreement with a buyer thereof which establishes a minimum or stipulated price at which such commodity may be resold by such buyer when such contract or agreement is lawful as applied to intrastate transactions under the laws of the State, Territory, or territorial jurisdiction in which the resale is to be made or to which the commodity is to be transported for such resale, and when such contract or agreement is not between manufacturers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other.

price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as, but not limited to, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned;

(5) That nothing contained in this section shall prevent the meeting in good faith of an equally low price of a competitor or greater promotional allowances or other service or facility paid for or furnished by a competitor.

**NOTE 1:** "Meeting competition in good faith" is an affirmative defense which may be undertaken by a supplier charged with a violation of subsection 2 (a), (d) or (e) of the amended Clayton Act who can defend his actions by establishing that his lower price or granting of disproportionate promotional allowances or other services or facilities was made in good faith to meet an equally low price of a competitor or greater promotional allowance or other service or facility paid for or furnished by a competitor. This defense, however, is subject to important limitations. For instance, it is insufficient to defend a charge of violating subsection (a), (d) or (e) of section 2 of the amended Clayton Act solely on the basis that competition in a particular industry is very keen, requiring that special prices or allowances be given to some customers if a seller is "to be competitive."

**NOTE 2:** Nothing in this section should be construed as prohibiting the granting of different prices which are not otherwise violative of the foregoing provisions of this section, to customers in different functional levels of distribution. For example, a seller may grant a lower price to wholesalers than to retailers to the extent that such wholesalers resell to retailers. If such wholesalers also sell at retail in competition with their customers, they may not properly be granted a price lower than the prices granted to competing retailers on that portion of the goods they sell at retail.

(b) *Brokerage and commissions.* No member of the industry engaged in commerce, in the course of such commerce, should pay or grant, or receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Advertising or promotional allowances and other services or facilities—*

(1) *Advertising or promotional allowances.* No member of the industry engaged in commerce should pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any



products manufactured, sold or offered for sale by such member, unless such payment or consideration is offered to and made available on proportionally equal terms to all other customers competing in the distribution of the seller's products of like grade and quality.

(2) *Services or facilities.* No member of the industry engaged in commerce should discriminate in favor of one purchaser against another purchaser or purchasers of industry products bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such products unless such services or facilities are offered to and made available on proportionally equal terms to all other customers competing

in the distribution of the seller's products of like grade and quality.

NOTE: The "Meeting competition in good faith" defense as set forth in note 1 of paragraph (a) (5) of this section is also applicable to provisions of both (1) and (2) of this paragraph (c).

(d) *Customer's liability for inducing or receiving a discrimination in price, advertising or promotional allowances and other services or facilities.* While this section concerns violations of the Clayton Act, as amended, pertaining to price discriminations and discriminations in paying for or furnishing advertising and promotional allowances, and other services, or facilities, it shall not be overlooked that:

(1) Section 2(f) of such Act makes it unlawful for any person engaged in commerce, in the course of such commerce,

knowingly to induce or receive a discrimination in price prohibited by the Act.

(2) A customer who knows, or should know, that he is receiving advertising or promotional allowances, or other services, or facilities which are not made available on proportionally equal terms to his competitors engaged in the distribution of the same seller's products of like grade and quality, may be proceeded against by the Commission under section 5 of the Federal Trade Commission Act, which prohibits unfair methods of competition. [Guide 19]

Issued: April 23, 1969.

By direction of the Commission.

[SEAL]

JOSEPH H. SHEA,  
Secretary.

[F.R. Doc. 69-4857; Filed, Apr. 23, 1969;  
8:45 a.m.]



# Notices

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

JOHN BERNARD

### Notice of Granting of Relief

Notice is hereby given that John Bernard, Ontario, Oreg., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 7, 1955, in the District Court of the Third Judicial District of the State of Idaho, in and for the county of Ada, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for John Bernard, because of such conviction to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be prevented under chapter 44, title 18, United States Code, from obtaining a license under that chapter as a firearms or ammunition importer, manufacturer, dealer or collector. In addition under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C., appendix) because of such conviction it would be unlawful for Mr. Bernard, to receive, possess, or transport in commerce a firearm. Notice is hereby further given that I have considered John Bernard's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the requested relief to John Bernard from disabilities incurred by reason of his conviction, would not be contrary to the public interest.

*It is ordered,* Pursuant to the authority vested in the Secretary of the Treasury by section 925(c), of title 18, United States Code, and delegated to me by the regulations in Title 26, Part 178, Code of Federal Regulations, that John Bernard be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms, incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 18th day of April 1969.

[SEAL] RANDOLPH W. THROWER,  
Commissioner of Internal Revenue.

[F.R. Doc. 69-4917; Filed, Apr. 23, 1969; 8:50 a.m.]

JAMES A. HELTON

### Notice of Granting of Relief

Notice is hereby given that James A. Helton, 2012 North Seventh Street, Ponca City, Okla., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on October 16, 1945, in the District Court in and for Kay County, Okla., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for James A. Helton, because of such conviction to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be prevented under chapter 44, title 18, United States Code, from obtaining a license under that chapter as a firearms or ammunition importer, manufacturer, dealer or collector. In addition under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C., appendix) because of such conviction it would be unlawful for Mr. Helton, to receive, possess, or transport in commerce a firearm. Notice is hereby further given that I have considered James A. Helton's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the requested relief to James A. Helton from disabilities incurred by reason of his conviction, would not be contrary to the public interest.

*It is ordered,* Pursuant to the authority vested in the Secretary of the Treasury by section 925(c), of title 18, United States Code and delegated to me by the regulations in title 26, Part 178, Code of Federal Regulations, that James A. Helton be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms, incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 18th day of April 1969.

[SEAL] RANDOLPH W. THROWER,  
Commissioner of Internal Revenue.

[F.R. Doc. 69-4918; Filed, Apr. 23, 1969; 8:50 a.m.]

GEORGE F. O'NEILL

### Notice of Granting of Relief

Notice is hereby given that George F. O'Neill, 1 Second Street, Towanda, Pa., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on June 23, 1961, in the Circuit Court of Harrison County, Miss., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for George F. O'Neill, because of such conviction to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C., appendix) because of such conviction it would be unlawful for Mr. O'Neill to receive, possess, or transport in commerce, a firearm.

Notice is hereby given that I have considered George F. O'Neill's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), of title 18, United States Code and delegated to me by 26 CFR 178.144, *It is ordered,* That George F. O'Neill be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipts, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 18th day of April 1969.

[SEAL] RANDOLPH W. THROWER,  
Commissioner of Internal Revenue.

[F.R. Doc. 69-4919; Filed, Apr. 23, 1969; 8:50 a.m.]



## Office of the Secretary

[Treasury Department Order 214; Rev. 1]

DEPARTMENTAL HEADS OF BUREAUS  
AND OFFICESDelegation of Authority To Waive  
Claims for Erroneous Payments to  
Employees

By virtue of the authority vested in the Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, and by virtue of the authority vested in me as Assistant Secretary for Administration by Treasury Department Order No. 190, Revision 6, there is hereby delegated to heads of bureaus and offices in the Department the authority of the Secretary of the Treasury, under Public Law 90-616, October 21, 1968, 82 Stat. 1212, and the regulations of the Comptroller General in 4 CFR Part 201, 33 F.R. 20001, December 31, 1968, as corrected, 34 F.R. 303, January 9, 1969, to waive in whole or in part erroneous payments of pay to Treasury employees aggregating not more than \$500.00, in conformity with the limitations and standards set forth in the aforesaid act and regulations.

This authority may be delegated by the head of the bureau or office only to a deputy or assistant head of that bureau or office except that the Commissioner of Internal Revenue and the Commissioner of Customs may delegate this authority to regional commissioners.

Treasury Department Order No. 214 is rescinded.

Dated: April 17, 1969.

[SEAL] A. E. WEATHERSEE,  
Assistant Secretary  
for Administration.

[F.R. Doc. 69-4920; Filed, Apr. 23, 1969;  
8:50 a.m.]

## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

[N-2762]

## NEVADA

## Notice of Cancellation of Public Sale

APRIL 16, 1969.

F.R. Doc. 69-3600, appearing at page 5747, volume 34, No. 59, and published on Thursday, March 27, 1969, offered the following 5-acre tract for sale under the Public Land Sale Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421-1427):

MOUNT DIABLO MERIDIAN, NEVADA

T. 21 S., R. 61 E.,  
Sec. 30, E½ NE¼ NE¼ NW¼.

Subsequently, the lands were identified as needed for a higher, public purpose. Therefore, the sale offer is hereby canceled, and action to reclassify the lands is being taken.

ROLLA E. CHANDLER,  
Manager, Nevada Land Office.

[F.R. Doc. 69-4887; Filed, Apr. 23, 1969;  
8:47 a.m.]

## Office of the Secretary

HENRY K. HOLLAND, JR.

Statement of Changes in Financial  
Interests

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

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

This statement is made as of April 13, 1969.

Dated: April 7, 1969.

HENRY K. HOLLAND, JR.

[F.R. Doc. 69-4888; Filed, Apr. 23, 1969;  
8:47 a.m.]

## LAYTON E. KINCANNON

Statement of Changes in Financial  
Interests

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

- (1) None.
- (2) Purchases: Central Tel. & Utilities, Cluett Peabody & Co., Sealed Power Corp., Tenneco Corp.
- (3) Sales: W. W. Grainger, Inc., Ayrshire Collieries, Inc., R. J. Reynolds Tobacco.
- (4) None.

This statement is made as of April 8, 1969.

Dated: April 8, 1969.

LAYTON E. KINCANNON.

[F.R. Doc. 69-4889; Filed, Apr. 23, 1969;  
8:47 a.m.]

## MAXWELL S. McKNIGHT

Statement of Changes in Financial  
Interests

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

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

This statement is made as of April 26, 1969.

Dated: April 8, 1969.

MAXWELL S. McKNIGHT.

[F.R. Doc. 69-4890; Filed, Apr. 23, 1969;  
8:48 a.m.]

## DEPARTMENT OF AGRICULTURE

## Federal Crop Insurance Corporation

[Notice 43]

TOBACCO TYPE 13 IN SOUTH  
CAROLINAExtension of Closing Date for Filing of  
Applications for 1969 Crop Year

Pursuant to the authority contained in § 401.103 of Title 7 of the Code of Federal Regulations, and pursuant to paragraph 1 of the resolution adopted by the Board of Directors of the Federal Crop Insurance Corporation on March 19, 1954, the time for filing applications for tobacco crop insurance for the 1969 crop year on type 13 tobacco in all counties in South Carolina where such insurance is otherwise authorized to be offered is hereby extended until the close of business on April 18, 1969. Such applications received during this period will be accepted only after it is determined that no adverse selectivity will result.

[SEAL] RICHARD H. ASHLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[F.R. Doc. 69-4907; Filed, Apr. 23, 1969;  
8:49 a.m.]

[Notice No. 42]

BARLEY, FLAX, OATS AND WHEAT IN  
SOUTH DAKOTAExtension of Closing Date for Filing of  
Applications for 1969 Crop Year

Pursuant to the authority contained in § 401.103 of Title 7 of the Code of Federal Regulations, and pursuant to paragraph 1 of the resolution adopted by the Board of Directors of the Federal Crop Insurance Corporation on March 19, 1954, the time for filing applications for crop insurance for the 1969 crop year in the South Dakota counties listed below and on the crops shown opposite the name of the county is hereby extended until the close of business on April 30, 1969. Such applications received during this period will be accepted only after it is determined that no adverse selectivity will result.

## SOUTH DAKOTA

County	Crop(s)
Aurora.....	Oats, Wheat.
Beadle.....	Barley, Oats, Wheat.
Bon Homme.....	Oats, Wheat.
Brookings.....	Barley, Flax, Oats.
Charles Mix.....	Oats.
Clark.....	Barley, Flax, Oats, Wheat.
Clay.....	Oats.
Codington.....	Barley, Flax, Oats, Wheat.
Davison.....	Oats.
Day.....	Barley, Flax, Oats, Wheat.
Deuel.....	Barley, Flax, Oats, Wheat.
Douglas.....	Oats, Wheat.
Grant.....	Barley, Flax, Oats, Wheat.
Hamlin.....	Barley, Flax, Oats, Wheat.
Hanson.....	Oats.
Hutchinson.....	Oats, Wheat.
Kingsbury.....	Barley, Flax, Oats, Wheat.
Lake.....	Flax, Oats.
Lincoln.....	Oats.
McCook.....	Oats.



## SOUTH DAKOTA—Continued

County	Crop(s)
Miner	Barley, Flax, Oats, Wheat.
Minnehaha	Oats.
Moody	Flax, Oats.
Roberts	Barley, Flax, Oats, Wheat.
Sanborn	Oats.
Turner	Oats.
Union	Oats.
Yankton	Oats.

RICHARD H. ASLAKSON,  
Manager, Federal  
Crop Insurance Corporation.

[F.R. Doc. 69-4908; Filed, Apr. 23, 1969;  
8:49 a.m.]

## DEPARTMENT OF COMMERCE

Business and Defense Services  
Administration

CORNELL UNIVERSITY ET AL.

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

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

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

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the 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 application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 69-00511-91-46500. Applicant: Cornell University, Ithaca, N.Y. 14850. Article: Ultramicrotome, Model Reichert "OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used for botanical research concerning the following projects:

a. Ultrastructural studies on the walls of tracheids in plant fossils with special reference to the Devonian plant *Psilophyton*.

b. Ultrastructural studies on the relationship between photosynthetic lamellar structures and pigment changes in certain blue green algae.

c. Fine structure of differentiating and mature phloem cells in palms. This investigation needs both thick monitor sections as well as routine optimum quality ultrathin sections.

d. Comparative and developmental studies on the ultrastructure of reproductive structures in both living and fossil pteridophytes and gymnosperms.

e. Ultrastructural investigations on chromosome structure with special reference to synaptonemal complex during meiosis.

Application received by Commissioner of Customs: April 4, 1969.

Docket No. 69-00512-91-46040. Applicant: Cornell University, Ithaca, N.Y. 14850. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, Inc., The Netherlands. Intended use of article: The article will be used for botanical research concerning the following project:

a. Ultrastructural studies on the walls of tracheids in plant fossils with special reference to the Devonian plant *Psilophyton*.

b. Ultrastructural studies on the relationship between photosynthetic lamellar structure and pigment changes in certain blue-green algae.

c. Fine structure of differentiating and mature phloem cells in palms.

d. Comparative and developmental studies on the ultrastructure of reproductive structures in both living and fossil pteridophytes and gymnosperms.

e. Ultrastructural investigations on chromosome structure with special reference to synaptonemal complex during meiosis.

Application received by Commissioner of Customs: April 4, 1969.

Docket No. 69-00515-33-46500. Applicant: Research Foundation of the State University of New York, Upstate Medical Center, 766 Irving Avenue, Syracuse, N.Y. 13210. Article: Ultramicrotome, Model Reichert SIDEA "OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used for both teaching and research. The instrument, which has been received, is the only thermally advanced unit in the medical school. It is essential in training students to expose them to all types of instrumentation available. For research purposes, a unit capable of producing uniformly thin serial sections of high quality of viruses having overall dimensions ranging from diameters of 40 microns to diameters of 100 microns is required. This requirement is critical since the electron microscope utilized is equipped with a high resolution kit capable of a resolution of 2 angstroms, and probably 1.5 angstroms. Application received by Commissioner of Customs: April 7, 1969.

Docket No. 69-00516-33-46500. Applicant: University of Miami, 1600 North-west 10th Avenue, Miami, Fla. 33136. Article: Ultramicrotome, Model LKB

8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to obtain uniform serial sections of several hematopoietic organs from animals injected with radioactive isotopes. These isotopes are specific for specific blood cell lines and have been studied at the level of the light microscope. Several of the investigators are currently studying the ultrastructure of heart muscle and hematopoietic tissues in the electron microscope, using the same isotopes as those utilized at the light microscope level. Application received by Commissioner of Customs: April 7, 1969.

Docket No. 69-00517-33-46500. Applicant: University of Miami, 1600 North-west 10th Avenue, Miami, Fla. 33136. Article: Ultramicrotome, Model LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in a project concerning conformational changes of cell membranes associated with the bulk transfer of materials both into and out of the cell. The chief tissues involved will be neurosecretory axon endings and neuromuscular junctions. It will be important to obtain extremely thin sections to resolve details of membrane fusion at the synaptic surface and it will also be necessary to use 1-2 micron sections for light microscopy. Application received by Commissioner of Customs: April 7, 1969.

Docket No. 69-00519-67-04030. Applicant: University of Massachusetts, 100 Arlington Street, Boston, Mass. 02116. Article: Single temperature Gouy balance. Manufacturer: Newport Instruments, Ltd., United Kingdom. Intended use of article: The article will be used as an instructional and research instrument for the determination of the paramagnetism of transition metal complexes. Magnetic susceptibility measurements of transition metal compounds provide a valuable insight into the electronic configuration of the metal. Knowledge of electronic configuration provides useful information about bonding properties of the compound, the effect of the environment of the metal (ligand field effects) and, in some cases, can be used in structure determination. Application received by Commissioner of Customs: April 7, 1969.

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

[F.R. Doc. 69-4864; Filed, Apr. 23, 1969;  
8:45 a.m.]

### UNIVERSITY OF NORTH CAROLINA ET AL.

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

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their



views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

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

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the 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 application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 69-00504-33-46500. Applicant: University of North Carolina, Dental Research Center, Chapel Hill, N.C. 27514. Article: Ultramicrotome, Model LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in several electron microscope investigations which form part of a wide study of orofacial development. Investigations directed at determining the factors involved in cleft palate formation in experimental animals require studies of normal palate fusion. In order to analyze this process, it is necessary to cut a long series of equal thickness serial sections after achieving precise orientation of the plane of sectioning relative to the palatal shelves. Such orientation can only be achieved if the microtome has the capability to section transversally, longitudinally, and radially from the same block without its removal from specimen holder or microtome. Application received by Commissioner of Customs: April 1, 1969.

Docket No. 69-00505-33-46040. Applicant: State Research Institute for Geriatrics, Warren State Hospital, Post Office Box 249, Warren, Pa. 16365. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, Inc., The Netherlands. Intended use of article: The article will be used in conjunction with a research program concerned with the determination of the character and the pathogenic mechanism of senile deterioration. This project includes the following activities:

a. Electron microscopic study of the six different types of senile plaques as characterized by fluorescence microscopy (never done before).

b. Electronmicroscopic structure of Alzheimer's cells (unsuccessfully tried by other investigators) and Biondi rings (never done before).

c. Electronmicroscopic structure of senile cardiac amyloid (never done before), as well as pancreatic insular degeneration.

d. Electronmicroscopic structure of cardiac amyloidosis (never done before).

e. Electronmicroscopic studies concerning experimental amyloidosis.

f. Electronmicroscopic studies concerning spontaneous animal amyloidosis (ducks, hamsters) (never done before).

g. A study, in conjunction with radioisotopes, which will attempt to locate chemical compounds which may be of importance in the experimental production of amyloid.

Application received by Commissioner of Customs: April 1, 1969.

Docket No. 69-00506-33-43780. Applicant: Jefferson Medical College, Department of Radiology, 11th and Walnut Streets, Philadelphia, Pa. 19107. Article: Colonic lavage unit. Manufacturer: Macarthy's, Ltd. (Surgical Division), United Kingdom. Intended use of article: The article will be used to improve the investigation of barium enema examination by thorough preparation of the colon and in addition should reduce the number of reexaminations which are required when the colon has been unsatisfactorily prepared. Application received by Commissioner of Customs: April 1, 1969.

Docket No. 69-00508-01-46040. Applicant: Dudley Observatory, 100 Fuller Road, Albany, N.Y. 12205. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, Inc., The Netherlands. Intended use of article: The article will be used in a program of research on micrometeorites. The particles are collected at high altitudes by use of sounding rocket borne sampling devices. The size of the particles which are collected by this technique ranges from less than 0.1 micron to a few microns in diameter. The program is designed to determine the chemical composition of micrometeorites. Chemical analysis of particles in this size range can be carried out by use of dispersive X-ray spectrometer attachment to an electron microscope. Application received by Commissioner of Customs: April 2, 1969.

Docket No. 69-00509-33-46040. Applicant: Kennedy Center for Mental Retardation and Human Development, Albert Einstein College of Medicine, 1300 Morris Park Avenue, Bronx, N.Y. 10461. Article: Electron microscope, Model HS-8-1. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for a series of biological experiments each of which will be published in noncommercial scientific literature. The first group of experiments centers around diseases of myelin such as multiple sclerosis and experimental allergic encephalomyelitis. A second group of studies are to be directed at the changes in the brain related to senility. Doctors in training to become neuropathologists will learn to operate the electron microscope considered in this application. These trainees number one

to three each year. Application received by Commissioner of Customs: April 2, 1969.

Docket No. 69-00510-33-46040. Applicant: University of Southern California, University Park, Los Angeles, Calif. 90007. Article: Electron microscope, Model EM 9A with spare parts. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used in a research program to investigate the structure, synthesis and interrelationships of various components of connective tissue. The areas to be investigated include:

(1) Epithelial-mesenchymal interactions during the embryonic development of the tooth primordium;

(2) The stimulation of collagen synthesis as a parameter in dentinogenesis;

(3) Behavior of normal and viral-transformed fibroblasts;

(4) Studies of conjugated proteins;

(5) Characterization of bone collagen and ectopic calcification phenomena;

(6) Cross-linking of tropocollagen;

(7) Glycoprotein biosynthesis in oral tissues and

(8) The effects of nutritional and other environmental factors on connective tissues.

Application received by Commissioner of Customs: April 2, 1969.

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

(F.R. Doc. 69-4865; Filed, Apr. 23, 1969; 8:45 a.m.)

## TULANE UNIVERSITY MEDICAL SCHOOL

### 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. 69-00204-33-46500. Applicant: Tulane University Medical School, 1430 Tulane Avenue, New Orleans, La. 70112. Article: Ultramicrotome, Model LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for studies on reproduction and aging in nematodes (gametogenesis, fertilization, egg shell formation, motility of gametes, secretion of sex pheromones), physical relationship of parasites to the host tissues, function of various cells and tissues of parasites as revealed by ultrastructural observation, and the basic morphology and recognition features of larval



nematodes and cestodes in relation to species diagnosis and taxonomic interpretation. 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: The foreign article has a guaranteed minimum-thickness capability of 50 angstroms. The most closely comparable domestic instrument is the Model MT-2 ultramicrotome, manufactured by Ivan Sorvall, Inc. (Sorvall), which has a minimum thickness capability of 100 angstroms. The thinner the specimen, the better is the attainable resolution. Since the applicant requires the best obtainable resolution to accomplish the purposes for which the specimens are being prepared, the smaller minimum thickness capability of the foreign article is a pertinent characteristic. The applicant also requires long series of specimens in the ultrathin range, which must be consistently uniform and accurate. We are advised by the Department of Health, Education, and Welfare (HEW), in its memorandum dated March 11, 1969, that "It has generally been conceded by expert microscopists that only thermal advance ultramicrotomes have performed satisfactorily where long series of ultrathin and uniform sections are required." The foreign article employs a thermal advance whereas the Sorvall Model MT-2 employs a gear-driven mechanical advance. For the foregoing reasons, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for such purposes as this 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. 69-4867; Filed, Apr. 23, 1969; 8:45 a.m.]

## BONA FIDE MOTOR-VEHICLE MANUFACTURERS

### Notice of Determination

Notice is hereby given that pursuant to authority contained in Chapter III, Part 301, of Title 19 of the Code of Federal Regulations, the Administrator, as of March 31, 1969, has determined the following to be bona fide motor-vehicle manufacturers:

Haywood Adams Brake Service, 116 Carroll Street, Thomasville, Ga. 31792. Jan. 18, 1969.  
American Equipment & Trailer, Inc., 740 North Grand, Amarillo, Tex. 79105. Jan. 18, 1969.  
American Machine & Foundry Co., York Division, Whiteford Rd., York, Pa. 17402. May 2, 1968.

American Motors Corporation, 14250 Plymouth Road, Detroit, Mich. 48232. Jan. 18, 1969.  
American Trailer Service, Inc., 2814 North Cleveland Avenue, St. Paul, Minn. 55113. Jan. 18, 1969.  
American Trailers, Inc., 1500 Exchange Avenue, Oklahoma City, Okla. 73101. Jan. 18, 1969.  
Antietam Equipment, Post Office Box 91, Hagerstown, Md. 21740. Jan. 1, 1969.  
Artic Enterprises, Inc., Zeh and South LaBree, Thief River Falls, Minn. 56701. Aug. 1, 1968.  
Ariens Company, 655 West Ryan Street, Brillion, Wis. 54110. Aug. 10, 1968.  
Atlas Eastern, Inc., 858 Providence Highway, Post Office Box 167, Dedham, Mass. 02026. Nov. 1, 1968.  
Automotive Safety Inc., 725 Dowd Avenue, Elizabeth, N.J. 07201. Jan. 18, 1969.  
Automotive Service Company, 111-113 North Waterloo, Jackson, Mich. 49204. Jan. 18, 1969.  
Avanti Motor Corporation, 765 South Lafayette Boulevard, South Bend, Ind. 46623. Jan. 11, 1969.  
Badger Northland, Inc., Subsidiary of Massey-Ferguson, Inc., 215 West Second Street, Kaukauna, Wis. 54103. July 1, 1968.  
Ballard Brake & Equipment Co., 1316 West Eighth Street, Marion, Ind. 46953. Jan. 18, 1969.  
Adam Black & Sons, Inc., 276-300 Tonnele Avenue, Jersey City, N.J. 07306. Jan. 18, 1969.  
Blue Bird Body Co., Post Office Box 397, Port Valley, Ga. 31030. Jan. 18, 1969.  
Boyertown Auto Body Works, Inc., Third and Walnut Streets, Boyertown, Pa. 19512. Sept. 1, 1968.  
Brake & Equipment Service Co., Inc., 1801 North Mayfair Road, Milwaukee, Wis. 53226. Jan. 10, 1969.  
Brake Service, Inc., 170 Washington Street, Post Office Box 774, Bangor, Maine 04401. Jan. 18, 1969.  
Bristol-Donald Co., Inc., 50 Roanoke Avenue, Newark, N.J. 07105. Jan. 1, 1969.  
Burch Body Works, Rockford, Mich. 49341. Jan. 18, 1969.  
The Carnegie Body Company, 9500 Brookpark Road, Cleveland, Ohio 44129. Jan. 18, 1969.  
Checker Motors Corporation, 2016 North Pitcher Street, Kalamazoo, Mich. 49007. Jan. 1, 1969.  
Chrysler Corporation, 341 Massachusetts Avenue, Highland Park, Mich. 48203. Jan. 18, 1969.  
B. M. Clark Co., Inc., Route 17, Union, Maine 04862. Jan. 14, 1969.  
Cloverleaf Equipment & Sales, Inc., 7801 Old Granger Road, Garfield Heights, Ohio 44125. Jan. 18, 1969.  
The Coachette Company, 11852 East Northwest Highway, Dallas, Tex. 75218. Jan. 5, 1968.  
Coder Service, Inc., 420 Hopkins Street, Buffalo, N.Y. 14220. Feb. 17, 1969.  
Comet Corporation, Spokane Industrial Park, Spokane, Wash. 99216. Jan. 18, 1969.  
Commercial Truck & Trailer, Inc., 313 North State Street, Girard, Ohio 44420. Jan. 18, 1969.  
Connell Motor Truck Co. of Fresno, 2832 Church Avenue, Fresno, Calif. 93766. Jan. 15, 1969.  
Crane Carrier Co., Division of CCI Corporation, Post Office Box 5008, 1150 North Peoria, Tulsa, Okla. 74104. Jan. 17, 1969.  
Crenshaw Corporation, 1700 Commerce Road, Post Office Box 4217, Richmond, Va. 23224. Apr. 1, 1969.  
Critzler Equipment Company, East 3804 Front Avenue, Post Office Box 152, Spokane, Wash. 99210. Jan. 10, 1969.

Cross Truck Equipment Co., Inc., 5130 18th Street SW, at Perry Drive, Canton, Ohio 44706. Jan. 18, 1969.  
Cummins Engine Co., 1000 Fifth Street, Columbus, Ind. 47201. Mar. 1, 1969.  
Dade Trailer Sales & Service, Inc., 2960 Northwest 73d Street, Miami, Fla. 33147. Jan. 18, 1969.  
Daleiden Auto Body & Mfg. Corp., 425 East Vine Street, Kalamazoo, Mich. 49001. Jan. 12, 1969.  
Dealers Truck Equipment Co., Inc., 2491 Texas Avenue, Post Office Box 1435, Shreveport, La. 71102. Jan. 17, 1969.  
Dealers Truckstell Sales, Inc., 653 Beale Street, Post Office Box 1020, Memphis, Tenn. 38101. Dec. 31, 1968.  
Roy F. Drake Body & Equipment Co., 1501 North Minnesota Avenue, Sioux Falls, S. Dak. 57101. Jan. 18, 1969.  
Drake-Scruggs Equipment, Inc., 600 South 31st Street, Springfield, Ill. 62703. Jan. 9, 1969.  
Dyna-Truck Div., Dynamics Corp. of America, 217 Kossuth Street, Bridgeport, Conn. 06608. Jan. 18, 1969.  
Eastern Tank Corporation, 290 Pennsylvania Avenue, Paterson, N.J. 07503. Jan. 1, 1969.  
Eight Point Trailer Corporation, 6100 East Washington Boulevard, Los Angeles, Calif. 90022. Jan. 18, 1969.  
Elliott Machine Works, Post Office Box 7158, Phoenix, Ariz. 85011. Jan. 18, 1969.  
Emmert Trailer Inc., 614 Mishawaka, Street, Elkhart, Ind. 46514. Jan. 18, 1969.  
John Evans Manufacturing Co., Post Office Box 669, Sumter, S.C. 29150. Dec. 31, 1968.  
Fleet Equipment Company, 10605 Harry Hines, Dallas, Tex. 75220. Jan. 17, 1969.  
Fleet Supply Co., Inc., Post Office Box 98, Salem Station, Winston-Salem, N.C. 27102. Jan. 18, 1969.  
The Flexible Co., 326-332 North Water Street, Loudonville, Ohio 44842. Jan. 18, 1969.  
FMC Corporation, Bolens Division, 215 South Park Street, Port Washington, Wis. 53074. Jan. 1, 1969.  
FMC Corporation, Riverside Division, 3075 14th Street, Riverside, Calif. 92502. Jan. 1, 1969.  
Ford Motor Company, The American Road, Dearborn, Mich. 48121. Jan. 18, 1969.  
Fox Corporation, 1111 West Racine Street, Janesville, Wis. 53545. Jan. 18, 1969.  
Frederick-Willys, Inc., 510 Willow Street, Farmington, Minn. 55024. Jan. 1, 1969.  
Freightliner Corporation, 5400 North Basin Avenue, Portland, Ore. 97208. Dec. 13, 1968.  
FWD Corporation, 105 East 12th Street, Clintonville, Wis. 54929. Jan. 1, 1969.  
Gar-Wood Detroit Truck Equip. Inc., 21083 Mound Road, Warren, Mich. 48091. Jan. 18, 1969.  
General Motors Corporation, 3044 West Grand Boulevard, Detroit, Mich. 48202. Jan. 18, 1969.  
General Trailer Co., Inc., 546 West Wilkins Street, Indianapolis, Ind. 46225. Jan. 18, 1969.  
Gibbes Machinery Co., Wheat and Assembly Streets, Columbia, S.C. 29202. Jan. 19, 1969.  
Gooch Brake and Equipment Co., Inc., 512 Grand Avenue, Kansas City, Mo. 64106. Jan. 11, 1969.  
Grand Rapids Brake Service, Inc., 1935 Century Avenue SW., Grand Rapids, Mich. 49509. Jan. 18, 1969.  
Hardee Manufacturing Co., Post Office Drawer 699, Plant City, Fla. 33566. Jan. 18, 1969.  
Harris Rim and Wheel, Inc., 525 Peters Street NW., Atlanta, Ga. 30310. Jan. 1, 1969.  
Hawkeye Truck Equipment Co., 4101 East 14th Street, Des Moines, Iowa 50313. Jan. 18, 1969.  
Heisers, Inc., Airport Road, Rural Delivery 2, Willard, Ohio 44905. Jan. 1, 1969.



- Hendrickson Mfg. Co., 8001 West 47th Street, Lyons, Ill. 60534. Jan. 1, 1969.
- Herter's, Inc., Route 1, Wesaca, Minn. 56093. May 15, 1969.
- The Hess & Elsenhardt Co., 8959 Blue Ash Road, Cincinnati, Ohio 45242. Jan. 9, 1969.
- Hobbs Equipment Co., Inc., Keeler Avenue, Norwalk, Conn. 06856. Jan. 18, 1969.
- Hudsonville Truck & Trailer Service Co., 5210 36th Avenue, Hudsonville, Mich. 49426. Jan. 31, 1969.
- Indiana Trailer Inc., 1611 West Bristol Street, Elkhart, Ind. 46514. Aug. 1, 1968.
- International Harvester Company, 401 North Michigan Avenue, Chicago, Ill. 60611. Jan. 18, 1969.
- Jalco Truck Products Co., Inc., 534 Meridan Road, Youngstown, Ohio 44501.
- Kaiser Jeep Corporation, 940 North Cove Boulevard, Toledo, Ohio 43601. Jan. 18, 1969.
- Kay Wheel Sales Co., Tacony and Van Kirk Streets, Philadelphia, Pa. 19135. Dec. 31, 1968.
- Kencar Equipment Co., 1906 Lakeview Avenue, Dayton, Ohio 45408. Jan. 18, 1969.
- Kenworth Motor Truck Co., 8801 East Marginal Way, Seattle, Wash. 98108. Jan. 18, 1969.
- Knapheide Equipment Co., Post Office Box 553, Quincy, Ill. 62301. Jan. 18, 1969.
- KW-Dart Truck Company, 1301 North Manchester Trafficway, Kansas City, Mo. 64120. Jan. 18, 1969.
- Ledwell & Son, Inc., Post Office Box 1105, Texarkana, Tex. 75501. Jan. 18, 1969.
- Leland Equipment Co., 7777 East 42d Place South, Tulsa, Okla. 74101. Jan. 18, 1969.
- Mack Trucks, Inc., Executive Offices, Box M, Allentown, Pa. 18105. Jan. 18, 1969.
- Jay Madsen Corporation, 132 South 12th Street, Newark, N.J. 07107. Jan. 18, 1969.
- Mallard Coach Corporation, 603 Hi Mount Road, West Bend, Wis. 53095. Jan. 11, 1969.
- Marion Metal Products Co., 959 Cheney Street, Marion, Ohio 43302. Jan. 18, 1969.
- Massart Supply, Inc., 211 West Third Street, Lafayette, La. 70501. Jan. 18, 1969.
- Merit Tank & Body, Inc., 707 Gilman Street, Berkeley, Calif. 94710. Jan. 18, 1969.
- Middlehauff, Inc., 1615 Ketcham Avenue, Toledo, Ohio 43608. Jan. 18, 1969.
- Midget Motors Corp., Campbell Street, Athens, Ga. 45701. Jan. 19, 1969.
- Midwest Truck & Equip. Co., 640 East Pershing Road, Decatur, Ill. 62526. Jan. 18, 1969.
- Moline Body Company, 222 52d Street, Moline, Ill. 61265. Jan. 10, 1969.
- Monon Trailer and Body Co., Post Office Box 446, Monon, Ind. 47959. Jan. 18, 1969.
- Edward G. Moody & Son, Spittbrook Road, Nashua, N.H. 03060. Jan. 1, 1969.
- J. Tom Moore and Sons, Inc., 2900 Airways Boulevard, Memphis, Tenn. 38130. Dec. 31, 1968.
- Motor Coach Industries, Inc., Pembina, N. Dak. 58271. Jan. 18, 1969.
- Motor Truck Equipment Corp., 2950 Irving Boulevard, Post Office Box 47385, Dallas, Tex. 75247. Jan. 18, 1969.
- Muscat Corporation, 56 East Broadway, Forest Lake, Minn. 55025. Feb. 10, 1969.
- Nell's Automotive Service, Inc., 167 East Kalamazoo Avenue, Kalamazoo, Mich. 49006. Jan. 1, 1969.
- Nelson Mfg. Co., Route No. 1, Ottawa, Ohio 45875. Jan. 18, 1969.
- New England Oil Burner Co., Route 2-A Main Street, Colchester, Vt. 05446. Jan. 10, 1969.
- New Frontier Corp., 4030 South Division Avenue, Grand Rapids, Mich. 49508. Jan. 31, 1969.
- Nye Implement Co., Inc., NKA NYE, INC., 250 East 4th Street, Postoria, Ohio 44830. Jan. 18, 1969.
- Ohio Body Mfg. Company, New London, Ohio 44851. Jan. 1, 1969.
- Olson Bodies, Inc., 600 Old Country Road, Garden City, N.J. 11530. Nov. 1, 1968.
- Chas. Olson & Sons, Inc., Pillsbury at Lake Streets, Minneapolis, Minn. 55406. Jan. 18, 1969.
- Olson Trailer & Body Builders Co., 2740 South Ashland, Green Bay, Wis. 54306. Jan. 18, 1969.
- Oshkosh Truck Corporation, 2307 Oregon Street, Oshkosh, Wis. 54901. Jan. 18, 1969.
- Ottawa Steel Products, Daybrook-Ottawa Corporation, Post Office Box 49, Ottawa, Kans. 66067. Jan. 17, 1969.
- Outboard Marine Corporation, 100 Pershing Road, Waukegan, Ill. 60085. Jan. 18, 1969.
- Pacific Car & Foundry Co., 1400 North Fourth Street, Renton, Wash. 98055. Jan. 18, 1969.
- Palmer Spring Company, 355 Forest Avenue, Portland, Maine 04101. Jan. 18, 1969.
- Palmer Trailer Sales Co., Inc., 162 Park Street, Route 20 East, Palmer, Mass. 01069. Jan. 18, 1969.
- Peerless Trailer & Truck Service, Inc., 18205 Southwest Boones Ferry Road, Post Office Box 447, Tualatin, Ore. 97062. Jan. 8, 1969.
- Perfection Equipment Co., 7 South Pennsylvania, Oklahoma City, Okla. 73107. Jan. 1, 1969.
- Perfection Truck Equipment Co., 2550 McGee Trafficway, Kansas City, Mo. 64108. Jan. 18, 1969.
- Peterbilt Motors Co., 38801 Cherry Street, Post Office Box 404, Newark, Calif. 94560. Jan. 16, 1969.
- Pezzan & Reid Equipment Co., 3960 West Fort Street, Detroit, Mich. 48216. Jan. 18, 1969.
- Polaris Industries, Div. of Textron, Inc., Roseau, Minn. 56751. Aug. 2, 1968.
- Poloron Products of Pa. Inc., East Corey Street, Scranton, Pa. 18505. Nov. 1, 1968.
- Power Brake Company, Inc., 1506 West Morehead Street, Box 838, Charlotte, N.C. 28208. Jan. 17, 1969.
- Power Brake Service & Equipment Co., Inc., 1307 Carnegie Avenue, Cleveland, Ohio 44115. Jan. 18, 1969.
- Powered Products Corp., Division of JB&T Company, 735 Fourth Avenue, Grand Junction, Colo. 81501. Mar. 1, 1969.
- Reliable Spring Co., Inc., 10567 South Michigan Avenue, Chicago, Ill. 60628. Jan. 20, 1969.
- Reliance Trailer & Truck Co., Inc., 2765 16th Street, San Francisco, Calif. 94103. Jan. 18, 1969.
- Rupp Manufacturing Inc., 1776 Airport Road, Mansfield, Ohio 44903. Oct. 3, 1968.
- S.S. Automobiles, Inc., 161 West Wisconsin Avenue, Milwaukee, Wis. 53203. May 22, 1968.
- Safety Sales & Service Corp., 50-92 South Cameron Street, Post Office Box 1439, Harrisburg, Pa. 17105. Jan. 18, 1969.
- Schlen Body & Equipment Co., North on University, Carlinville, Ill. 62626. Jan. 18, 1969.
- Schweigers, Inc., South Highway 81, Watertown, S. Dak. 57201. Jan. 18, 1969.
- Scientific Brake & Equipment Co., 314 West Genesee Avenue, Saginaw, Mich. 48602. Jan. 18, 1969.
- Shasta Truck & Equipment, Inc., 3333 South Market Street, Redding, Calif. 96001. Jan. 18, 1969.
- Silverline, Inc., 2300 12th Avenue, South, Moorhead, Minn. 56560. Jan. 1, 1969.
- Shelby Automotive Co., Inc., 15670 West Ten Mile Road, Southfield, Mich. 48075. Jan. 3, 1969.
- A. O. Smith Corporation, Post Office Box 584, Milwaukee, Wis. 53201. Jan. 17, 1969.
- A. O. Smith-Inland, Inc., Post Office Box 584, Milwaukee, Wis. 53201. Mar. 5, 1969.
- Smith-Moore Body Company, Inc., Brook Road at Lombardy, Richmond, Va. 23220. Jan. 18, 1969.
- Paul Stutler, Inc., 3397 East Waterloo Road, Akron, Ohio 44312. Jan. 2, 1969.
- South Florida Engineers, Inc., 5911 East Bufalo Avenue, Post Office Box 11927, Tampa, Fla. 33610. July 2, 1968.
- Sport King, Inc., 28650 Grand River Avenue, Farmington, Mich. 48024. Apr. 30, 1968.
- Syracuse Auto Parts, Inc., 120 North Goddes Street, Syracuse, N.Y. 13204. Jan. 18, 1969.
- T & H Brake Service, Inc., 415 Dunn Road, Fayetteville, N.C. 28302. July 8, 1968.
- Thiokol Chemical Corporation, Logan Division, 2503 North Main Street, Logan, Utah 84321. Jan. 18, 1969.
- Trade Winds Co., Inc., Depot Street, Manawa, Wis. 54949. Jan. 15, 1969.
- Trall-A-Sled, Inc., Box 300, Crosby, Minn. 56441. April 29, 1969.
- Transport Equipment Company, 3400 Sixth Avenue, Seattle, Wash. 98134. Jan. 18, 1969.
- Truck Equipment Co., 260 Industrial Avenue, New Orleans, La. 70121. Jan. 18, 1969.
- Truck Equipment Co., 1911 Southwest Washington Street, Peoria, Ill. 61602. Jan. 18, 1969.
- Truck Equipment Sales, Inc., 301 South Fourth Street, Murray, Ky. 42071. Jan. 18, 1969.
- Truck Parts & Equipment Co., 295 Hegenburger Road, Oakland, Calif. 94621. Jan. 18, 1969.
- Tuff Boy, Inc., 5151 East Almondwood Drive, Manteca, Calif. 95336. Dec. 31, 1968.
- Union City Body Co., Inc., 1015 West Pearl Street, Union City, Ind. 47390. Aug. 15, 1968.
- Viking Snowmobiles, Inc., Post Office Box 37, Twin Valley, Minn. 56584. Aug. 1, 1968.
- The Treco Corporation, d.b.a., Weaver Trailer & Body Company, 1355 West Mound Street, Columbus, Ohio 43223. Jan. 18, 1969.
- Wayne Corporation, % Indian Head Inc., 111 West 40th Street, New York, N.Y. 10018. Oct. 31, 1968.
- Weigand GMC Truck Sales, Inc., 1008 North Tuscarawas Avenue, Dover, Ohio 44622. Jan. 18, 1969.
- White Motor Corporation, Post Office Box 6979, Cleveland, Ohio 44114. Jan. 18, 1969.
- MARCH 31, 1969.

The Administrator will publish from time to time such revisions of this list as may be appropriate to reflect additions, deletions, or other necessary changes in it.

RODNEY L. BORUM,  
Administrator, Business and  
Defense Services Administration.

[F.R. Doc. 69-4863; Filed, Apr. 23, 1969;  
8:45 a.m.]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### ASSISTANT REGIONAL ADMINISTRATOR FOR MODEL CITIES, REGION I (NEW YORK)

#### Redelegation of Authority With Respect to Model Cities Program

The Assistant Regional Administrator for Model Cities, Region I (New York), is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development to the extent redelegated to the Regional Administrator and to the Deputy Regional Administrator in section A of the redelegations of authority by the Assistant Secretary



for Model Cities and Governmental Relations effective November 27, 1967 (32 F.R. 17496, Dec. 6, 1967), as amended effective April 29, 1968 (33 F.R. 11685, Aug. 16, 1968), with respect to the Model Cities Program under title I of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3301-3313) except the authority to authorize waivers of contract provisions.

This redelegation supersedes the redelegation effective August 16, 1968 (33 F.R. 11685 Aug. 16, 1968).

(Redelegations of Authority by Assistant Secretary for Model Cities and Governmental Relations effective Nov. 27, 1967 (32 F.R. 17496, Dec. 6, 1967, as amended at 33 F.R. 11685, Aug. 16, 1968))

**Effective date.** This redelegation of authority shall be effective as of December 1, 1968.

JUDAH GRIBETZ,

*Regional Administrator, Region I.*

[F.R. Doc. 69-4934; Filed, Apr. 23, 1969; 8:51 a.m.]

#### ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR MODEL CITIES, REGION I (NEW YORK)

##### Designation

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

1. Deputy Assistant Regional Administrator for Model Cities.
2. Urban Planner.
3. Manpower and Economic Development Adviser.

(Delegation May 4, 1962, 27 F.R. 4319; Department Interim Order II, 31 F.R. 815, Jan. 21, 1966)

**Effective date:** This designation shall be effective as of April 24, 1969.

JUDAH GRIBETZ,

*Regional Administrator, Region I.*

[F.R. Doc. 69-4935; Filed, Apr. 23, 1969; 8:51 a.m.]

#### ASSISTANT REGIONAL ADMINISTRATOR FOR EQUAL OPPORTUNITY, REGION V (FORT WORTH, TEX.)

##### Redelegation of Authority With Respect to Fair Housing

**SECTION A. Authority with respect to fair housing.** The Assistant Regional Administrator for Equal Opportunity is authorized to exercise the power and au-

thority of the Secretary of Housing and Urban Development under title VIII (Fair Housing) of the Civil Rights Act of 1968, Public Law 90-284, 42 U.S.C. 3601-3619, except the authority to:

1. Make studies and publish reports under section 808(e) of the Act.
2. Issue rules and regulations.

**SEC. B. Authority to redelegate.** The Assistant Regional Administrator for Equal Opportunity is further authorized to redelegate to subordinate employees the authority of the Secretary to administer oaths under section 811(a) of the Act, 42 U.S.C. 3611(a).

(Redelegation of authority by Assistant Secretary for Equal Opportunity effective Jan. 15, 1969 (34 F.R. 946, Jan. 22, 1969))

**Effective date.** This redelegation of authority shall be effective upon publication in the FEDERAL REGISTER.

W. W. COLLINS,

*Regional Administrator, Region V.*

[F.R. Doc. 69-4936; Filed, Apr. 23, 1969; 8:52 a.m.]

#### CERTAIN HUD EMPLOYEES IN REGION V (FORT WORTH, TEX.)

##### Redelegation of Authority To Administer Oaths Under Title VIII (Fair Housing) of Civil Rights Act of 1968

Each of the following named employees in the Department of Housing and Urban Development, Region V (Fort Worth, Tex.), is hereby authorized to administer oaths under section 811(a) of the Civil Rights Act of 1968, Public Law 90-284, 42 U.S.C. 3611(a):

1. William F. Kerrigan.
2. Clark S. Jefferies.
3. John E. Eubanks.
4. Earnie P. Wilkinson.
5. Jack E. Sandridge.
6. John M. Nelson.
7. Rufus B. Bardwell.

(Redelegation of authority by Regional Administrator effective Apr. 24, 1969 (34 F.R. 6869, Apr. 24, 1969))

**Effective date.** This redelegation of authority shall be effective upon publication in the FEDERAL REGISTER.

A. MACEO SMITH,

*Assistant Regional Administrator for Equal Opportunity, Region V.*

[F.R. Doc. 69-4937; Filed, Apr. 23, 1969; 8:52 a.m.]

#### ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR METROPOLITAN DEVELOPMENT, REGION VI (SAN FRANCISCO)

##### Designation

The officers appointed to the following listed positions and named person in Region VI (San Francisco) are hereby designated to serve as Acting Assistant Regional Administrator for Metropolitan Development, Region VI, during the absence of the Assistant Regional Adminis-

trator for Metropolitan Development, with all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for Metropolitan Development, Region VI: *Provided*, That no officer is authorized to serve as Acting Assistant Regional Administrator for Metropolitan Development unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Assistant Regional Administrator for Metropolitan Development.
2. Director, Program Field Service Division.
3. Chief, Engineering Branch.
4. Cornelius J. Borghello, Supervisory Financial Advisor.

The designation effective December 18, 1966 (32 F.R. 3476, Mar. 2, 1967) is hereby revoked.

(Delegation effective May 4, 1962, 27 F.R. 4319; Dept. Interim Order II, 31 F.R. 815, Jan. 21, 1966)

Effective as of the 5th day of May 1968.

ROBERT B. PITTS,

*Regional Administrator, Region VI.*

[F.R. Doc. 69-4938; Filed, Apr. 23, 1969; 8:52 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[CGFR 69-35]

#### MISSISSIPPI RIVER NEAR RESERVE, LA.

##### Designation of Temporary Anchorage Regulation

1. On December 20, 1968, a special notice was published by Commander, 8th Coast Guard District, New Orleans, La., proposing establishment of a temporary anchorage area between mile 137.0 AHP and mile 137.7 AHP, Mississippi River. Interested persons were invited to file written comments concerning this proposal. A hearing open to all interested persons was held on January 17, 1969 at the office of Commander, 8th Coast Guard District, Custom House, New Orleans, La. No objections to the proposed anchorage were received.

2. Accordingly, the Commander, 8th Coast Guard District, on January 20, 1969 pursuant to authority contained in the Rivers and Harbor Act of March 4, 1915 (sec. 7, 38 Stat. 1053, as amended; 33 U.S.C. 471) and the Department of Transportation Act (sec. 6(g)(1)(A), 80 Stat. 937; 49 U.S.C. 1655(g)(1)(A)), and the delegations of authority contained in 49 CFR 1.4(a)(3)(i), 49 CFR 1.4(h), and 33 CFR 110.195(a)(6) designated as a temporary anchorage in the following area:

An area approximately 3,696 feet in length, extending from mile 137.0 AHP to mile 137.7 AHP bounded by the mean low water mark on the right descending bank and a line 800 feet channelward therefrom.



3. Effective date: This designation shall become effective upon publication in the **FEDERAL REGISTER**.

Dated: April 18, 1969.

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

[F.R. Doc. 69-4899; Filed, Apr. 23, 1969;  
8:48 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. PRM-40-12]

### NEFARNIN ASSOCIATES

#### Notice of Denial of Petition for Rule Making

Please take notice that the Atomic Energy Commission has denied a petition for rule making submitted by Nefarnin Associates, 39 Pinckney Street, Boston, Mass. 02114.

By letter dated October 2, 1968, Nefarnin Associates petitioned the Atomic Energy Commission to amend 10 CFR Part 40 to exempt from licensing requirements casks of depleted uranium. A notice of filing of petition, Docket No. PRM-40-12, was published in the **FEDERAL REGISTER** on October 22, 1968 (33 F.R. 15610).

The Commission has determined that, in light of its criteria for approval of products intended for use by the general public published in the **FEDERAL REGISTER** on March 16, 1965 (30 F.R. 3462), casks of depleted uranium are adornments the use of which would result in a small increase of radiation exposure among the general public without commensurate benefit, and that it would not be in the public interest to institute the public rule making procedure requested by the petitioner.

A copy of the petition for rule making and of the Commission's letter of denial are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Washington, D.C., this 17th day of April 1969.

For the Atomic Energy Commission.

W. B. McCool,  
Secretary.

[F.R. Doc. 69-4862; Filed, Apr. 23, 1969;  
8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 20635]

### AEROLINEAS PERUANAS, S.A.

#### Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended that a hearing in the above-entitled proceeding is assigned to be held on May 26, 1969, at 10 a.m., d.s.t., in Room 805, Universal Building 1825 Connecticut Avenue

NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., April 18, 1969.

[SEAL] LOUIS W. SORNSON,  
Hearing Examiner.

[F.R. Doc. 69-4930; Filed, Apr. 23, 1969;  
8:51 a.m.]

[Docket No. 20901]

### AIR-INDIA

#### Notice of Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on April 30, 1969, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner James S. Keith.

Notice is further given that the hearing may be held immediately following conclusion of the prehearing conference unless at or prior to the conference a person objects or shows reason for further postponement.

Dated at Washington, D.C., April 21, 1969.

[SEAL] THOMAS L. WRENN,  
Chief Examiner.

[F.R. Doc. 69-4931; Filed, Apr. 23, 1969;  
8:51 a.m.]

[Docket No. 20920]

### COMPANIA MEXICANA DE AVIACION, S.A. (CMA)

#### Notice of Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 2, 1969, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Associate Chief Examiner Ralph L. Wiser.

Notice is further given that the hearing may be held immediately following conclusion of the prehearing conference unless at or prior to the conference a person objects or shows reason for further postponement.

Dated at Washington, D.C., April 21, 1969.

[SEAL] THOMAS L. WRENN,  
Chief Examiner.

[F.R. Doc. 69-4932; Filed, Apr. 23, 1969;  
8:51 a.m.]

[Docket No. 18650; Order 69-4-88]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Regarding Specific Commodity Rates

Issued under delegated authority on April 18, 1969.

By Order 69-4-35, dated April 7, 1969, the Board deferred action with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA), relating to specific commodity rates. The Board, in deferring action on the agreement, granted 7 days in which interested persons may file petitions in support of or in opposition to the Board's proposed action.

No petitions have been received within the filing period, and the Board herein will make final its tentative conclusions in Order 69-4-35.

Accordingly, it is ordered, That:

Agreement CAB 20745, R-48 through R-58, be, and it hereby is, approved: *Provided*, That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the **FEDERAL REGISTER**.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-4933; Filed, Apr. 23, 1969;  
8:51 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Supplement 14]

### 1961 WORKING ARRANGEMENT FOR ALLOCATION OF VHF TELEVISION BROADCAST STATIONS

#### Amendment of Table A

APRIL 21, 1969.

Pursuant to an exchange of correspondence between the Department of Transport of Canada and the Federal Communications Commission, table A, annex 1 of the Television Working Arrangement under the Canadian-U.S.A. Television Agreement has been amended as follows:

City	Channel Number	
	Delete	Add
Bonnington, British Columbia.....		<sup>1</sup> 13X(L)

<sup>1</sup> Limitation to protect CHBC-TV-1, Penticton, British Columbia.

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

FEDERAL COMMUNICATIONS COMMISSION,  
BEN F. WAPLE,  
Secretary.

[SEAL]

[F.R. Doc. 69-4921; Filed, Apr. 23, 1969;  
8:50 a.m.]



[Report 436]

COMMON CARRIER SERVICES  
INFORMATION<sup>1</sup>Domestic Public Radio Services Appli-  
cations Accepted for Filing<sup>2</sup>

APRIL 21, 1969.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

<sup>1</sup> All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

<sup>2</sup> The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

## APPENDIX

## APPLICATIONS ACCEPTED FOR FILING

## DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

## File No., applicant, call sign, and nature of application

- 2716-C2-R-69—Malheur Home Telephone Co.; (KD2979); Renewal of Developmental Station license expiring June 1, 1969. Term June 1, 1969, to June 1, 1970.
- 6034-C2-P-69—Alco Telephone Answer-Ring Service of Greenville, Mississippi, Inc.; (KFL932); C.P. to install an additional channel to operate on base frequency 152.15 MHz at its station located 719 Washington Avenue, Greenville, Miss.
- 6035-C2-P-69—Guy P. McSweeney doing business as Radio Engineering and Sales Co.; (New); C.P. for a new 2-way station. Frequency: 152.18 MHz. Location: Kentucky Highway No. 71, 12.5 miles northwest of Bowling Green, Ky.
- 6036-C1-P-69—Paging Montgomery, Inc.; (New); C.P. for a new 1-way-signaling station. Frequency: 158.70 MHz. Location: 207 Montgomery Street, Montgomery, Ala.
- 6048-C2-P-69—Instant Communications, Inc.; (KQA338); C.P. to install additional channels to operate on base frequencies 454.150, 454.200, and 454.225 MHz at station located 424 Book Building, 124 Washington Boulevard, Detroit, Mich.
- 6049-C2-P-69—Southern Radio-Phone, Inc.; (KLF537); C.P. to replace the transmitter operating on base frequency 152.21 MHz and change antenna system at its station located 122 Southwest Fifth Avenue, Homestead, Fla.
- 6050-C2-P-69—Gabriel Communications Corp., doing business as Mobile Dispatching Service; (KIR204); C.P. to install an additional channel to operate on base frequency 454.325 MHz at location No. 1: Northwest 21st Street and 26th Avenue, Fort Lauderdale, Fla.
- 6651-C2-MP-69—Blue Circle Radio Pocket Paging Corp.; (KEK287); Modification of C.P. to relocate facilities at location No. 1 from 59 Malden Lane, New York, N.Y., to 20 Exchange Place, New York, N.Y., base frequency: 454.225 MHz.
- 6058-C2-P-69—The Bell Telephone Co. of Pennsylvania; (KGA474); C.P. to install an additional channel to operate on base frequency 152.780 MHz at station located 1.9 miles north of Wyoming, Pa. and add test frequency 158.040 MHz. Test Location: 10-14 Charles Street, Pittston, Pa.
- 6059-C2-MI-69—Illinois Bell Telephone Co.; (KSC881); Modification of license to change the signaling channel from 454.990 MHz to 454.675 MHz and change the band width of emission to 16F3, 10F2 at its Developmental station located 135 South La Salle Street, Chicago, Ill.
- 6081-C2-P-69—Mobilfone of Kansas; (New); C.P. for a new 1-way-signaling station. Frequencies: 152.24 and 158.70 MHz. Location: KTWU (TV) Tower, 1.5 miles west of city limits Topeka, Kans.
- 6082-C2-P-69—The Mountain States Telephone & Telegraph Co.; (KOH274); C.P. to install an additional channel to operate on base frequency 152.66 MHz at location No. 1: Between Gillette and Warren on 11th Street, Gillette, Wyo., and add frequency 157.92 MHz at test station located 405 Gillette Avenue, Gillette, Wyo.
- 6083-C2-P-69—The Mountain States Telephone & Telegraph Co.; (KKG417); C.P. to add a fourth channel to operate on base frequency 152.75 MHz at its station located at Ranger Peak, Franklin Mountains, El Paso, Tex.
- 6084-C2-P-69—Bertha C. Mathews, doing business as Mathews Telephone Answering Service; (KGT274); C.P. to change frequency 35.58 MHz to 152.24 MHz, replace transmitter and change antenna system at station located 1101 26th Street South, Great Falls, Mont.
- 6085-C2-P-69—Coronet Enterprises, Inc.; (KOA271); C.P. to change antenna system operating on base frequency 152.21 MHz at location No. 1: Top of Krell, approximately 4 miles southeast of Spokane, Wash.
- 6086-C2-P-69—Southern Bell Telephone & Telegraph Co.; (KIC345); C.P. to install two additional base channels to operate on frequencies 152.60 and 152.72 MHz at location No. 1, request authority to operate the existing standby xmitter also on above frequencies and change antenna system at location No. 1: 36 Northeast Second Street, Miami, Fla., and add frequencies 157.86 and 157.95 MHz for test. Test location: 36 Northeast Second Street, Miami, Fla.
- 6089-C2-P-69—M. O. Bobes, doing business as Mobile Telephone Service of Wheeling, West Virginia; (KQK775); C.P. to install an additional channel to operate on base frequency 152.12 MHz at a site to be identified as location No. 2: Rural Delivery No. 1, Grandview, Moundsville, W. Va.
- 6090-C2-P-69—Guy P. McSweeney, doing business as Radio Engineering & Sales Co.; (KFPQ936); C.P. to install a control station at a site to be identified as location No. 2: 1521 29th Street, Ashland, Ky., to operate on frequency 158.67 MHz.
- 6091-C2-P-69—Palmerton Telephone Co.; (KGC403); C.P. to replace transmitter operating on base frequency 152.69 MHz at its station located near Route No. 13038, 3 miles south and east of Palmerton, Pa.
- 6092-C2-TC-69—Southern Communications, Inc., doing business as Mobilfone of Tyler; (KLB493); Consent to transfer of control from John E. Dorris Transferor, to Aubrey E. Irby Transferee (2-way) station at Tyler, Tex.
- 2288-C2-R-66—Communications Engineering, Inc.; (KWA634); Renewal of license expiring Apr. 1, 1969. Term Apr. 1, 1969, to Apr. 1, 1974, 2-way station at Anchorage, Alaska.



## POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)—continued

6097-C1-P-69—Southwestern Bell Telephone Co.; (KKA48); C.P. to add 6330.7 MHz toward new point of communication San Angelo, Tex. (KCTV-TV), and change antenna system at the station located at 7 miles northwest of Orient, Tex.  
 6098-C1-P-69—Southwestern Bell Telephone Co.; (KLT93); C.P. to add frequency 3710 MHz toward new point of communication Odessa, Tex., and correct station coordinates to read lat. 31°59'55" N., long. 102°23'11" W. Location: 1211 North Whitaker Street, Odessa, Tex.  
 6100-C1-P-69—Bell Telephone Co. of Nevada; (New); C.P. for a new fixed station. Frequencies: 10,755 and 10,995 MHz. Location: Control point, 10 miles northeast of Warm Springs, Nev.  
 6107-C1-P-69—Bell Telephone Co. of Nevada; (New); C.P. for a new fixed station. Frequencies: 11,445 and 11,685 MHz. Location: 25 miles northeast of Warm Springs, Nev.

## Major Amendment

5308-C1-P-69—Indiana Bell Telephone Co.; (New); Change azimuth from 41°45' toward Marion, Ind., to 34°09'. Location: 1.1 miles southwest of Point Isabel, Ind.  
 5309-C1-P-69—Indiana Bell Telephone Co.; (New); Change station location from 216 West Fifth Street, Marion, Ind. (lat. 40°33'25" N., long. 85°39'43" W.) to 225 miles north of Marion, Ind. (lat. 40°38'33" N., long. 85°39'18" W.) change azimuth from 46°25' toward Warren, Ind., to 56°13'. All other particulars same as reported in public notice dated Mar. 17, 1969, Report No. 431.  
 6460-C1-P-69—General Telephone Co. of Illinois; (KSO39); Change radio path azimuth toward Ottawa to 5°46' east of true north. All other particulars same as reported in public notice dated July 8, 1968, Report No. 393.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

6042-C1-P-69—Pacific Teletronics, Inc.; (KPK69); C.P. to add frequency 6412.2 MHz on azimuth 318°54' directed toward King Mountain transmitter location: Lat. 42°03'54" N., long. 123°28'39" W., 13 miles southwest of Ashland, Oreg.  
 6043-C1-P-69—Pacific Teletronics, Inc.; (KPN74); C.P. to add frequencies 6011.9 and 6130.5 MHz on azimuth 5°47' directed toward Harness Mountain transmitter location: Lat. 42°41'49" N., long. 123°13'39" W., King Mountain, 8 miles east of Wolf Creek, Oreg.  
 6044-C1-P-69—Pacific Teletronics, Inc.; (KPK92); C.P. to add frequencies 6293.6 and 6412.2 MHz on azimuths 309°45' and 359°00' toward Roman Nose and Blanton Heights, Oreg. Transmitter location: Lat. 43°31'28" N., long. 123°05'39" W., Harness Mountain, 19 miles south of Cottage Grove, Oreg. (Informative: Applicant proposes to provide television signals of stations KBHK-TV and KTVU of San Francisco to Teleprompter Corp. in Coos Bay, Coquille, and Myrtle Point, Oreg.)  
 6045-C1-TC-(10)-69—Southwest Texas Transmission Co.; Consent to transfer of control from Telesystems Corp., Transferor to Telesystem Services Corp., Transferee. Stations: (KJE31) Smarr, Ga.; (KKK37) Beeler Farm (near Fredericksburg, Tex.); (KKY45) Uvalde, Tex.; (KKY45) Las Moras, Tex.; (KLP99) Waldrup Ranch, Tex.; (KEL36) Mayfield Ranch, Tex.; (KLE37) Sonora, Tex.; (KLE38) D'Hanis, Tex.; (KSP97) Vandallia, Ill.; (KSP98) Effingham, Ill.  
 6046-C1-TC-(2)-69—New England Microwave Corp.; Consent to transfer of control from Telesystems Corp., Transferor to Telesystem Services Corp., Transferee. Stations: (KCE79) Richmond, Mass.; (KCE80) North Adams, Mass.  
 6109-C1-TC-69—Columbia Television Co., Inc.; (KPT81); Consent to transfer of control from Present stockholders of Columbia Cable Systems, Inc., Transferees to Present stockholders of Columbia Cable Systems, Inc., and International Cablevision Corp., Transferees.  
 6110-C1-TC-(5)-69—Modern Electronics, Inc.; Consent to assignment of license from Modern Electronics, Inc., Assignor to T. V. Cables of Mississippi, Inc., Assignee. Stations: (KTK99) Indianola, Miss.; (KTR21) Alligator, Miss.; (KTR20) Leland, Miss.; (KLT75) Cleveland, Miss.; (KLT74) Farrell, Miss.

[F.R. Doc. 69-4922; Filed, Apr. 23, 1969; 8:50 a.m.]

## Major Amendment

5075-C2-P-69—Central Mobile Radio Phone Service; Amend to read C.P. to change frequency to 152.12 MHz and replace base transmitter. All other particulars remain the same as reported on public notice dated Mar. 10, 1969, Report No. 430.

## RURAL RADIO SERVICE

6093-C1-TC-69—Southern Communications, Inc., doing business as Mobilphone of Tyler; (KLU92); Consent to transfer of control from John E. Dorris Transferor, to Aubrey E. Irby, Transferee. Temporary fixed location.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)

6009-C1-MI-69—The Western Union Telegraph Co.; (KNI49); Modification of license to change frequency from 4110 MHz to 4090 MHz toward Goldstone, Calif., via passive reflector, station location: Montana Mines, 12.1 miles west of Camp Irwin, Calif.  
 5829-C1-MI-69—The Mountain States Telephone & Telegraph Co.; (KPB52); Modification of license to change frequency from 6195 MHz to 6250 MHz directed toward University of Utah, Salt Lake City, Utah, at station located 70 South State Street, Salt Lake City, Utah.  
 6037-C1-P-69—Bell Telephone Co. of Nevada; (New); C.P. for a new fixed station. Frequencies: 11,115 and 10,875 MHz. Location: On U.S. Highway No. 95, 1 mile northwest of Tonopah, Nev.  
 6038-C1-P-69—Bell Telephone Co. of Nevada; (KPF92); C.P. to add frequencies 11,565 and 11,935 MHz toward Tonopah, Nev., and increase the bandwidth of emission for the Western Electric, Type TL-2 transmitters from 2200F9 to 2600F9 for licensed frequencies 11,385 and 11,605 MHz at station located Montezuma, 8 miles west of Goldfield, Nev.  
 6039-C1-MI-69—Bell Telephone Co. of Nevada; (KVU44); Modification of license to increase the bandwidth of emission for the Western Electric, Type TL-2 transmitters from 2200F9 to 2600F9. Frequencies: 10,875, 10,915, 11,155, and 11,115 MHz, station located at Gold Mountain, 7 miles southeast of Gold Point, Nev.  
 6040-C1-MI-69—Bell Telephone Co. of Nevada; (KVU45); Modification of license to increase the bandwidth of emission for the Western Electric, Type TL-2 transmitters from 2200F9 to 2600F9. Frequencies: 11,325, 11,385, 11,565, and 11,605 MHz, station located at Bare Mountain, 2 miles southeast of Beatty, Nev.  
 6041-C1-MI-69—Bell Telephone Co. of Nevada; (KPE96); Modification of license to increase the bandwidth of emission for the Western Electric, Type TL-2 transmitters from 2200F9 to 2600F9. Frequencies: 10,915 and 11,155 MHz at station located at Spotted Range, 2.2 miles southeast of Mercury, Nev.  
 6052-C1-P-69—Southern Bell Telephone & Telegraph Co.; (KJB55); C.P. to add frequencies 6256.5 and 11,865 MHz toward White Springs, Fla., at its station located Nassau and Columbia Streets, Lake City, Fla.  
 6060-C1-AL-(5)-69—American Telephone & Telegraph Co.; Consent to assignment of license from American Telephone & Telegraph Co., Assignor to New England Telephone & Telegraph Co., Assignee. Stations: (KCD23) North Truro, Mass.; (KCD24) Brewster, Mass.; (KCD22) Sandwich, Mass.; (KCD25) Falmouth, Mass.; (KCD21) Middleboro, Mass.  
 6087-C1-P-69—Southern Bell Telephone & Telegraph Co.; (KIR28); C.P. to add frequencies 3710 and 3790 MHz toward Kure Beach, N.C., at its station located approximately 3.3 miles northwest of Bishop, N.C.  
 6088-C1-P-69—Southern Bell Telephone & Telegraph Co.; (New); C.P. for a new fixed station. Frequencies: 4070 and 4150 MHz. Location: K Avenue West, Kure Beach, N.C.  
 6094-C1-P-69—Southwestern Bell Telephone Co.; (KLO81); C.P. to add frequency 6019.3 MHz toward Maryneal, Tex., at its station located 209-11 East Fourth Street, Sweetwater, Tex.  
 6095-C1-P-69—Southwestern Bell Telephone Co.; (KKA50); C.P. to add frequency 6301.0 MHz toward Bronte, Tex., at its station located 9.8 mile west of Maryneal, Tex.  
 6096-C1-P-69—Southwestern Bell Telephone Co.; (KKA49); C.P. to add 6019.3 MHz toward Orient, Tex., at station located 7.5 miles north-northeast of Bronte, Tex.



# FEDERAL MARITIME COMMISSION CITY OF OAKLAND AND SEA-LAND SERVICE, INC.

## 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:

J. Kerwin Rooney, Port Attorney, Port of Oakland, 66 Jack London Square, Oakland, Calif. 94607.

Agreement No. T-1768-4 between the city of Oakland (California) and Sea-Land Services, Inc., modifies the basic agreement between the parties which provides for the lease of certain marine terminal property at Oakland, Calif. The purpose of the modification is to provide for the furnishing of a third container-ship crane upon the assigned area and to increase the minimum and maximum annual compensation to the city of Oakland.

Dated: April 21, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-4912; Filed, Apr. 23, 1969;  
8:50 a.m.]

## RANDY INTERNATIONAL LTD., ET AL.

### Independent Ocean Freight Forwarder Licenses and Applicants Therefor; Notice of Revisions

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders, pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Domestic Regulation, Federal Mari-

time Commission, Washington, D.C. 20573.

Randy International Ltd., 11 Broadway, New York, N.Y. 10004.

Ted L. Rausch Co., 260 Spear Street, San Francisco, Calif. 94105.

Intermodal Freight Forwarders, Inc., c/o JACQ. Pierot Jr. & Sons, 29 Broadway, New York, N.Y. 10006.

Dated: April 22, 1969.

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-4951; Filed, Apr. 23, 1969;  
8:52 a.m.]

## SMALL BUSINESS ADMINISTRATION

### MIDLAND BUSINESS INVESTMENT CORP., INC.

#### Acceptance of Surrender of License

Notice is hereby given that Midland Business Investment Corporation, Inc. (Midland), Union Gas Building, Independence, Kans. 67301, has pursuant to § 107.105 of the regulations governing small business investment companies (33 F.R. 326, 13 CFR Part 107), surrendered its license to operate as a small business investment company.

Midland was incorporated on July 21, 1961, under the laws of the State of Kansas, and issued license number 09/0012 by the Small Business Administration on August 18, 1961.

Midland was licensed to operate solely under the Small Business Investment Act of 1958, as amended (15 U.S.C., 661 et. seq.).

Under the authority vested by the Small Business Investment Act of 1958, as amended, and the regulations promulgated thereunder, the surrender of the license of Midland is hereby accepted, and accordingly, it is no longer licensed to operate as a small business investment company.

Dated: April 18, 1969.

A. H. SINGER,  
Associate Administrator  
for Investment.

[F.R. Doc. 69-4897; Filed, Apr. 23, 1969;  
8:48 a.m.]

## OSHER CAPITAL CORP.

### Notice of Issuance of Small Business Investment Company License

On February 7, 1969, a notice of application for a license as a small business investment company was published in the FEDERAL REGISTER (34 F.R. 1848) stating that an application had been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations governing small business investments companies (33 F.R. 326) for a license as a small business investment company by Osher Capital Corp., Suite 700, Fox Pavilion, Jenkintown, Pa. 19046.

Interested parties were given to the close of business, February 22, 1969, to submit their written comments to SBA. No comments were received.

Notice is hereby given that pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information and facts with regard thereto, SBA has issued License No. 03/03-0062 to Osher Capital Corp., to operate as a small business investment company.

Dated: April 14, 1969.

A. H. SINGER,  
Associate Administrator  
for Investment.

[F.R. Doc. 69-4898; Filed, Apr. 23, 1969;  
8:48 a.m.]

## GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.  
Temporary Reg. D-16]

### SECRETARY OF HEALTH, EDUCATION, AND WELFARE

#### Delegation of Authority Regarding Repair, Alteration and Improve- ment of Leased Premises in Boston, Mass.

1. *Purpose.* This regulation delegates authority to the Secretary of Health, Education, and Welfare, to repair, alter, and improve leased premises in Boston, Mass.

2. *Effective date.* This regulation is effective immediately.

3. *Expiration date.* This delegation shall expire 10 years from the effective date of the lease covering the rented premises.

4. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, authority is hereby delegated to the Secretary of Health, Education, and Welfare to repair, alter, and improve the leased premises in Boston, Mass., for use by the Diabetes and Arthritis Field Research Laboratory, Health Services and Mental Health Administration, Department of Health, Education, and Welfare.

b. The Secretary of Health, Education, and Welfare may redelegate this authority to any officer, official, or employee of the Department of Health, Education, and Welfare.

c. This authority shall be exercised in accordance with the requirements of section 210(a)(8) of the Federal Property and Administrative Services Act of 1949 (64 Stat. 580), as amended (40 U.S.C. 490(a)(8)), and other applicable statutes and regulations.

ROBERT L. KUNZIG,  
Administrator of General Services.

APRIL 17, 1969.

[F.R. Doc. 69-4874; Filed, Apr. 23, 1969;  
8:46 a.m.]



## FEDERAL POWER COMMISSION

[Dockets Nos. G-7007 etc.]

## CITIES SERVICE OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates<sup>1</sup>

APRIL 17, 1969.

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

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 15, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: Provided, however, that pursuant to § 2.56 of the Commission's general policy and interpretations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application,

or within the time fixed for filing protests or petitions to intervene, the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

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

GORDON M. GRANT,  
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-7007 2-17-69 <sup>1</sup>	Cities Service Oil Co., Oil Center Bldg., Box 300, Tulsa, Okla. 74102.	Cities Service Gas Co., Kansas-Hugoton Field, Grant and Haskell Counties, Kans.	(?)	-----
CI64-902 (C165-453) C 3-20-69 <sup>2</sup>	Delta Drilling Co. (Operator) et al., Post Office Box 2012, Tyler, Tex. 75702.	Northern Natural Gas Co., Ozona Area, Crockett County, Tex.	16.0	14.65
CI67-652 C 3-17-69 <sup>3</sup> 3-28-69 <sup>4</sup>	Thomas A. Dugan et al., Box 234, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., Bisti Field, San Juan County, N. Mex.	13.0	15.025
CI69-424 (C169-924) C 4-1-69 <sup>5</sup>	J. L. Trittippe, Inc., 1111 Nelson Bldg., Charleston, W. Va. 25301	United Fuel Gas Co., Rocky Fork Field, Putnam County, W. Va.	28.0	15.325
CI69-914 (G-18932) F 3-24-69	Thomas A. Dugan (successor to Jay J. Harris), Box 234, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., Ballard Pictured Cliffs Field, Rio Arriba County, N. Mex.	12.0	15.025
CI69-916 (G-13633) (G-16528) A and F 3-28-69 <sup>6</sup>	Joseph F. Fritz (Operator) et al., Post Office Box 206, Clinton, Miss. 39056.	United Gas Pipe Line Co., Maxie-Pistol Ridge Field, Forrest County, Miss.	120.6 20.0	15.025
CI69-917 A 4-1-69	Felmont Oil Corp., 285 Madison Ave., New York, N.Y. 10017.	Transcontinental Gas Pipe Line Corp., Ship Shoal Block 233 Field, Offshore Louisiana, Gulf of Mexico.	21.25	15.025
CI69-918 A 4-1-69	do	Transcontinental Gas Pipe Line Corp., Ship Shoal Block 230 Field, Offshore Louisiana, Gulf of Mexico.	21.25	15.025
CI69-919 A 4-1-69	Cabot Corp. (SW), Post Office Box 1101, Pampa, Tex. 79665.	do	21.25	15.025
CI69-920 B 4-1-69	Gulf Oil Corp., Post Office Box 1889, Tulsa, Okla. 74102.	Hassie Hunt Trust, North Lisbon Field, Claiborne Parish, La.	Depleted	-----
CI69-921 B 4-1-69	do	Union Texas Petroleum, a division of Allied Chemical Corp., Stowell Field, Chambers County, Tex.	Depleted	-----
CI69-922 B 4-1-69	W. R. Hughey (Operator) et al.	Lone Star Gas Co., J.G.S. Field, Panoia County, Tex.	Depleted	-----
CI69-923 A 4-1-69	Gulf Oil Corp. <sup>7</sup>	Northern Natural Gas Co., Bass Devonian Field, Pecos County, Tex.	17.5 14.5	14.65
CI69-925 A 4-1-69	Cities Service Oil Co.	United Gas Pipe Line Co., State Tract 432 Deep Unit, Corpus Christi Bay Area, Nueces County, Tex.	16.6	14.65
CI69-926 A 4-1-69	Marathon Oil Co., 530 South Main St., Findlay, Ohio 45840.	Transwestern Pipeline Co., Rock Tank Morrow Field, Eddy County, N. Mex.	16.5	14.65
CI69-927 A 4-1-69	Essex Royalty Corp., 285 Madison Ave., New York, N.Y. 10017.	Transcontinental Gas Pipe Line Corp., Ship Shoal Block 230 Field, Offshore Louisiana, Gulf of Mexico.	21.25	15.025
CI69-928 (G-11891) (G-12154) A and F 4-1-69 <sup>8</sup>	King Resources Co., 700 Houston Natural Gas Bldg., Houston, Tex. 77002.	Southern Natural Gas Co., Manilla Village Field, Jefferson Parish, La.	19.75	15.025
CI69-929 A 4-2-69	Buffalo Oil Co., c/o James F. Scott, agent, Post Office Box 112, Salem, W. Va. 26426.	Pennzoil United, Inc., Union District, Harrison County, W. Va.	15.0	15.325
CI69-930 A 4-1-69	Anadarko Production Co. (Operator) et al., Post Office Box 9317, Fort Worth, Tex. 76101.	Lone Star Gas Co., West Palacine Field, Stephens County, Okla.	15.0	14.65
CI69-931 A 4-2-69	Chevron Oil Co., Western Division, Post Office Box 599, Denver, Colo. 80201.	Kansas-Nebraska Natural Gas Co., Inc., Red Lion Field, Sedgwick County, Colo.	14.0	14.65
CI69-932 A 4-2-69	Davis Oil Co., c/o Jacob Goldberg, Attorney, 810 Pennsylvania Bldg., Washington, D.C. 20004.	Texas Eastern Transmission Corp., Southwest Lake Boon Field, Lafourche Parish, La.	21.25	15.025
CI69-933 A 4-4-69	Nathan A. Levy, Jr., Post Office Box 2025, Morgan City, La. 70380.	Michigan Wisconsin Pipe Line Co., North Cecilia Field, St. Martin Parish, La.	21.25	15.025
CI69-934 A 4-7-69	Hunting Oil Co., Inc., 14701 Detroit Ave., Lakewood, Ohio 44107.	The Ohio Fuel Gas Co., Groundhog Creek Field, Meigs County, Ohio.	27.0	15.025
CI69-935 A 4-7-69	Atlantic Richfield Co., Post Office Box 521, Tulsa, Okla. 74102.	Transwestern Pipeline Co., Rock Tank Morrow Field, Eddy County, N. Mex.	16.58	14.65
CI69-936 A 4-7-69	Woods Petroleum Corp., 4900 North Santa Fe, Oklahoma City, Okla. 73118.	Panhandle Eastern Pipe Line Co., Southeast Arnett Field, Ellis County, Okla.	17.0	14.65
CI69-937 A 4-7-69	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., East Cameron Block 17 Field, Offshore (Zone 2), Louisiana.	21.25	15.025

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

See footnotes at end of table.

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein.



Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI69-938 A 4-7-69	Quaker State Oil Refining Corp., Post Office Box 1327, Parkersburg, W. Va. 26101.	The Ohio Fuel Gas Co., Groundhog Field, Lebanon Township, Meigs County, Ohio.	27.0	15.025
CI69-939 (CI62-1036) F 4-1-69	John A. Hairford (successor to Apache Corp.), Post Office Box 594, Hooker, Okla. 73945.	Cities Service Gas Co., Hugoton Field, Finney County, Kans.	13.0	14.65
CI69-940 (G-8561) F 4-1-69	Austin Brady (successor to Petroleum, Inc. et al.), Post Office Box 302, Garden City, Kans. 67846.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Hugoton Field, Haskell County, Kans.	13.5	14.65
CI69-941 (CI66-53) F 4-1-69	Black Oil Co. (successor to Mobile Oil Corp.), 203 Park Ave., Oklahoma City, Okla. 73102.	Northern Natural Gas Co., North-east Buffalo Field, Harper County, Okla.	17.0	14.65
CI69-943 (CI66-1215) F 4-1-69	The Fundamental Oil Corp. (successor to Joseph E. Seagram & Sons, Inc. d.b.a. Texas Pacific Oil Co.), 2014 Mercantile Bank Bldg., Dallas, Tex. 75201.	Natural Gas Pipeline Co. of America, North Farnsworth Area, Ochiltree County, Tex.	17.0	14.65

<sup>1</sup> Applicant, as successor in interest to Columbian Fuel Corp., proposes to discontinue deliveries of up to 5,000 Mcf at 14.65 of natural gas per day to Cities Service Gas Co. for an additional period of 5 years or for such time as Cities Service has excess allowances in the Kansas-Hugoton Field or for the period during which the released gas is not required for delivery to Cities Service's customers, whichever is lesser. Columbian Fuel was heretofore authorized to discontinue deliveries of up to 8,000 Mcf per day for a 5-year period terminating Oct. 28, 1969, to permit deliveries of the released volumes to the Hickok Carbon Plant in the Hugoton Field.

<sup>2</sup> Adds acreage acquired from Atlantic Richfield Co. (Operator) et al., Docket No. CI65-453.

<sup>3</sup> Application previously noticed Apr. 7, 1969, in Dockets Nos. G-3117 et al., at a total initial rate of 15.0619 cents per Mcf.

<sup>4</sup> Letter filed amending application to reflect a total initial rate of 13 cents per Mcf in lieu of 15.0619 cents.

<sup>5</sup> Application was erroneously assigned Docket No. CI69-924 as an initial service application. Docket No. CI69-924 is canceled and application will be treated as a petition to amend the certificate to add acreage in Docket No. CI69-924.

<sup>6</sup> In addition to initially dedicated leases, Applicant proposes to continue sales as partial successor in interest to Union Producing Co. and Fred LaRue (Operator) et al.

<sup>7</sup> Production from new acreage.

<sup>8</sup> Production from acreage acquired from Union Producing Co. and Fred LaRue (Operator) et al.

<sup>9</sup> Applicant states its willingness to accept certificate conditioned as Opinion No. 468, as modified by Opinion No. 468-A.

<sup>10</sup> Gas-well gas.

<sup>11</sup> Casinghead gas.

<sup>12</sup> Subject to upward and downward B.T.U. adjustment.

<sup>13</sup> Plus applicable taxes.

<sup>14</sup> In addition to initially dedicated leases, Applicant proposes to continue sales as partial successor in interest to Getty Oil Co. and Gulf Oil Corp.

<sup>15</sup> Applicant states its willingness to accept certificate on the same terms as specified by the Commission order issued Mar. 30, 1964, in Dockets Nos. G-19416 et al.

<sup>16</sup> Rate in effect subject to refund in Docket No. R169-168.

<sup>17</sup> Rate in effect subject to refund in Docket No. R165-620.

[F.R. Doc. 69-4778; Filed, Apr. 23, 1969; 8:45 a.m.]

[Docket No. E-7476]

## BALTIMORE GAS AND ELECTRIC CO.

### Notice of Application

APRIL 18, 1969.

Take notice that on April 16, 1969, Baltimore Gas and Electric Co. (Applicant), filed an application seeking an order pursuant to section 204 of the Federal Power Act authorizing the issuance of \$65 million in short-term unsecured promissory notes including commercial paper notes.

Applicant is incorporated under the laws of the State of Maryland with its principal business office at Baltimore, Md., and is engaged in the electric, gas, and steam utility businesses within the State of Maryland.

The notes are to be issued from time to time to banking institutions and/or sold to or through dealers in commercial paper and will mature within 1 year from their dates of issuance and in any event not later than December 31, 1972.

The proceeds from the issuance of the notes will be used as interim financing of the Applicant's 1969-71 construction program presently estimated at \$473 million (exclusive of outlays for nuclear fuel), of which \$145 million is scheduled for 1969, \$144 million for 1970, and \$184 million for 1971.

Any person desiring to be heard or to make any protest with reference to said

application should on or before May 12, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-4870; Filed, Apr. 23, 1969; 8:46 a.m.]

[Docket No. CP69-264]

## CONSOLIDATED GAS SUPPLY CORP.

### Notice of Application

APRIL 18, 1969.

Take notice that on April 11, 1969, Consolidated Gas Supply Corp. (Applicant), 445 West Main Street, Clarksburg, W. Va. 26301, filed in Docket No. CP69-264 an application pursuant to section 7(c) of the Natural Gas Act for a certifi-

cate of public convenience and necessity authorizing the construction and operation of certain natural gas storage facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes the construction and operation over a 2-year period, in 1969 and 1970, of a 13,600 horsepower compressor station with auxiliary equipment and related piping, the reconditioning of 20 existing storage wells, the replugging of three wells, the drilling of 15 new wells, and the replacement of its existing gathering system, all for the further development of its Greenlick Storage Pool in Potter and Clinton Counties, Pa.

Applicant estimates the cost of the proposed facilities at \$21,068,302, of which \$11,137,376 would be for 1969 construction and \$9,930,926 is for construction in 1970. Applicant proposes to finance these costs in part from funds on hand and in part by borrowing from its parent corporation, Consolidated Natural Gas Co.

Applicant states that the proposed development would increase the estimated capacity of the Greenlick Storage Pool to 53 million Mcf, of which approximately one-half would be cycled. Applicant states that this proposed additional development of the Greenlick Storage Pool is required to meet normal growth in its winter seasonal market requirements, and to enable it to render anticipated increased levels of storage service for Transcontinental Gas Pipe Line Corp. beginning in 1970.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 16, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion



believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-4871; Filed, Apr. 23, 1969;  
8:46 a.m.]

[Docket No. RI69-641]

### SHELL OIL CO.

#### Order Amending Order Accepting Supplemental Agreement and Contract Amendment, Providing for Hearings on and Suspension of Proposed Changes in Rates To Permit Substitute Rate Filing

APRIL 18, 1969.

On February 28, 1969, Shell Oil Co. (Shell), filed with the Commission a proposed change in rate, from 12.81 cents to 13.5183 cents per Mcf, designated as Supplement No. 16 to Shell's FPC Gas Rate Schedule No. 134, which pertains to Shell's jurisdictional sales of natural gas from the University Block 9 Field, An-

draws County, Tex., RR. District No. 8 (Permian Basin Area) to El Paso Natural Gas Co. The Commission by order issued March 27, 1969, suspended for 5 months Shell's rate filing, among others, in Docket No. RI69-641, until August 31, 1969, and thereafter until made effective in the manner prescribed by the Natural Gas Act.

On March 24, 1969, Shell submitted an amended notice of change in rate, designated as Supplement No. 1 to Supplement No. 16 to Shell's FPC Gas Rate Schedule No. 134, amending the supplement to the aforementioned rate schedule to provide for a rate to 13.5705 cents instead of the 13.5183 cents per Mcf rate filed on February 28, 1969, due to a correction in determining the proper rate due to deductions for quality. Shell's proposed substitute rate filing is set forth in appendix "A" hereof.

Shell's proposed 13.5705 cents per Mcf rate exceeds the just and reasonable area ceiling rates established by the Commission in its Opinions Nos. 468 and 468-A, as did the previously suspended rate under the rate schedule in said docket. Shell's proposed rate consists of its contractually authorized rate less the quality adjustments applicable to such sale under Opinions Nos. 468 and 468-A. Since Shell's amended rate filing involves a correction in the applicable quality ad-

justments, we believe that it would be in the public interest to accept Shell's corrective rate filing subject to the suspension proceeding in Docket No. RI69-641, with the suspension period of such substitute rate filing to terminate concurrently with the suspension period (August 31, 1969) of the original filing in said docket.

The Commission orders:

(A) The suspension order issued March 27, 1969, in Docket No. RI69-641, is amended only so far as to permit the 13.5705 cents per Mcf rate contained in Supplement No. 1 to Supplement No. 16 to Shell's FPC Gas Rate Schedule No. 134 to be filed to supersede the 13.5183 cents per Mcf rate provided by Supplement No. 16 to the aforementioned rate schedule, subject to the suspension proceeding in Docket No. RI69-641. The suspension period for such substitute filing shall terminate concurrently with the suspension period (August 31, 1969) of the original rate filing in said docket.

(B) In all other respects, the order issued by the Commission on March 27, 1969, in Docket No. RI69-641, shall remain unchanged and in full force and effect.

By the Commission.

[SEAL]

GORDON M. GRANT,  
Secretary.

#### APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-641..	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020, Attention: Mr. F. C. Sweet.	134	1 to 16	El Paso Natural Gas Co. (University Block 9 Field, Andrews County, Tex.) (RR. District No. 8) (Permian Basin Area).	\$9,368	3-24-69	3-24-69	8-31-69	12.81	13.5705	

<sup>1</sup> Superseding notice of change to reflect correction for quality deductions.

<sup>2</sup> The stated effective date is the first day after expiration of the statutory notice.

<sup>3</sup> Suspend until Aug. 31, 1969, the expiration date of the prior increase suspended in Docket No. RI69-641.

<sup>4</sup> Increase from applicable area ceiling rate to contract rate, plus tax reimbursement, adjusted for quality.

<sup>5</sup> Pressure base is 14.65 p.s.i.a.

[F.R. Doc. 69-4872; Filed, Apr. 23, 1969; 8:46 a.m.]

## FEDERAL HOME LOAN BANK BOARD IMPERIAL CORPORATION OF AMERICA

### Notice of Receipt of Application for Permission To Acquire Newport Balboa Savings and Loan Association

APRIL 21, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corp., has received an application from the Imperial Corporation of America, San Diego, Calif., to acquire the Newport Balboa Savings and Loan Association, Newport Beach, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the rules and regulations for Savings and

Loan Holding Companies, to be effected by the purchase of at least 80 percent of the guaranty stock of Newport Balboa Savings and Loan Association by Imperial Corporation of America followed by a merger of such insured institution into Investors Savings and Loan Association, Pasadena, Calif., a subsidiary insured institution of Imperial Corporation of America. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,  
Secretary.

Federal Home Loan Bank Board.

[F.R. Doc. 69-4902; Filed, Apr. 23, 1969;  
8:49 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

BARTEP INDUSTRIES, INC.

### Order Suspending Trading

APRIL 18, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Bartep Industries, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this



order to be effective for the period April 20, 1969, through April 29, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-4892; Filed, Apr. 23, 1969;  
8:48 a.m.]

## COMMERCIAL FINANCE CORPORATION OF NEW JERSEY

### Order Suspending Trading

APRIL 18, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Commercial Finance Corporation of New Jersey, a New Jersey corporation, 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 April 21, 1969, through April 30, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-4893; Filed, Apr. 23, 1969;  
8:48 a.m.]

## MAJESTIC CAPITAL CORP.

### Order Suspending Trading

APRIL 18, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Majestic Capital Corp., Encino, Calif., 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 April 20, 1969, through April 29, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-4894; Filed, Apr. 23, 1969;  
8:48 a.m.]

## OMEGA EQUITIES CORP.

### Order Suspending Trading

APRIL 18, 1969.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock and all other securities of Omega Equities Corp., New York, N.Y., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 19, 1969, through April 28, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-4895; Filed, Apr. 23, 1969;  
8:48 a.m.]

## PHOTO MARK COMPUTER CORP.

### Order Suspending Trading

APRIL 18, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Photo Mark Computer Corp., New York, N.Y., and all other securities of Photo Mark Computer 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 April 20, 1969, through April 29, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-4896; Filed, Apr. 23, 1969;  
8:48 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

### CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates

issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as listed.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended)

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Aalls Mfg. Co., LeMars, Iowa; 2-13-69 to 2-12-70; 10 learners (boys' jeans).  
Albain Shirt Co., Kinston, N.C.; 2-18-69 to 2-17-70 (men's and boys' dress shirts).  
Angelica Uniform Co., No. 22, Mountain View, Mo.; 2-26-69 to 2-25-70 (men's outerwear coats).

Bali Bra Manufacturing Co., Inc., Johnstown, Pa.; 2-4-69 to 2-3-70 (brassieres).

Michael Berkowitz Co., Inc., Waynesburg, Pa.; 2-16-69 to 2-15-70 (ladies' pajamas).

C & M Sportswear Manufacturing Co., Meshoppen, Pa.; 2-1-69 to 1-31-70; 10 learners (men's jackets and ladies' ski jackets).

Carthage Garment Corp., Carthage, Miss.; 2-26-69 to 2-25-70 (boys' sport shirts).

Carwood Manufacturing Co., Baldwin, Ga.; 2-19-69 to 2-18-70 (men's work pants).

Carwood Manufacturing Co., No. 1, Cornelia, Ga.; 2-19-69 to 2-18-70 (men's work and sport shirts).

Carwood Manufacturing Co., Lavonia, Ga.; 2-19-69 to 2-18-70 (men's and boys' pants).

Carwood Manufacturing Co., No. 1, Monroe, Ga.; 2-19-69 to 2-18-70 (men's outerwear jackets).

Carwood Manufacturing Co., Monroe, Ga.; 2-19-69 to 2-18-70 (men's and boys' pants).

Checotah Manufacturing Co., Checotah, Okla.; 2-26-69 to 2-25-70 (children's shorts and peddle pushers).

Colshire Manufacturing Co., Inc., Morgantown, W. Va.; 2-1-69 to 1-31-70 (men's pajamas).

Cordele Uniform Co., Cordele, Ga.; 2-21-69 to 2-20-70 (men's work clothing).

Covington Industries, Inc., Florala, Ala.; 2-1-69 to 1-31-70 (army fatigue jackets).

Dickson-Jenkins Manufacturing Co., Fort Worth, Tex.; 2-14-69 to 2-13-70 (western pants and shirts).

E & W of Paragould, Inc., Paragould, Ark.; 2-24-69 to 2-23-70 (boys' sport shirts).

E & W of Yazoo City, Inc., Yazoo City, Miss.; 2-1-69 to 1-31-70 (men's and boys' pajamas).

Eastwill Sportswear Co., Inc., Greenwood, S.C.; 2-2-69 to 2-1-70 (men's and boys' shirts).

Elder Manufacturing Co., McLeansboro, Ill.; 2-7-69 to 2-6-70 (men's and boys' dress and sport shirts).

The Enro Shirt Co., Inc., Madisonville, Ky.; 2-1-69 to 1-31-70 (men's sport shirts).

Fairfield Manufacturing Co., Winnsboro, S.C.; 2-20-69 to 2-19-70 (men's work clothing).

Fawn Grove Manufacturing Co., Inc., Rising Sun, Md.; 2-28-69 to 2-27-70; 10 learners (men's work clothing).

Fawn Grove Manufacturing Co., Inc., Fawn Grove, Pa.; 2-28-69 to 2-27-70 (men's and boys' work and semi-dress pants).

J. Freezer & Son, Inc., Rural Retreat, Va.; 2-9-69 to 2-8-70 (men's shirts).

Glenn Slacks, Inc., Bruce, Miss.; 2-25-69 to 2-24-70 (men's pants).

Imperial Reading Corp., Anniston, Ala.; 2-18-69 to 2-17-70 (boys', ladies' and men's jeans and dungarees).

Imperial Reading Corp., Christiansburg, Va.; 2-21-69 to 2-20-70 (men's work clothing and boys' dungarees).

F. Jacobson and Sons, Inc., York, Pa.; 2-10-69 to 2-9-70 (men's shirts).



The Jay Garment Co., Clarksville, Tenn.; 2-9-69 to 2-8-70 (men's work suits and shirts).

Jomax Apparel Co., York, Pa.; 2-1-69 to 1-31-70; 10 learners (ladies' dresses).

Jonbil Manufacturing Co., Inc., Chase City, Va.; 2-14-69 to 2-13-70 (men's, boys', ladies', girls', and children's jeans).

Junction City Mfg. Corp., Junction City, La.; 2-7-69 to 2-6-70 (ladies' foundation garments).

Kentown Corp., Barnardville, N.C.; 2-7-69 to 2-6-70 (women's dresses).

The H. D. Lee Co., Inc., Sulphur Springs, Tex.; 2-3-69 to 2-2-70 (men's western pants).

M and G Sportswear, Inc., Fall River, Mass.; 2-25-69 to 2-24-70 (children's sportswear and outerwear).

The Manhattan Shirt Co., Ashburn, Ga.; 2-7-69 to 2-6-70 (men's shirts).

The Manhattan Shirt Co., Jesup, Ga.; 2-25-69 to 2-24-70 (men's sport shirts).

The Manhattan Shirt Co., Salisbury, Md.; 2-26-69 to 2-25-70 (ladies' and men's shirts).

MasterSon, Inc., Booneville, Miss.; 2-28-69 to 2-27-70 (boys' parkas, outerwear coats and cotton jackets).

Mid South Manufacturing Co., Richton, Miss.; 2-9-69 to 2-8-70 (men's pants).

Monleigh Garment Co., Mocksville, N.C.; 2-13-69 to 2-12-70 (men's shirts).

Prairie Manufacturing Co., East Prairie, Mo.; 2-10-69 to 2-9-70; 10 learners (men's and boys' pants).

Primo Pants Co., Versailles, Mo.; 2-1-69 to 1-31-70 (men's pants).

Quality Frocks Corp., New Bedford, Mass.; 2-24-69 to 2-23-70; 5 learners (ladies' dresses).

Rose Hill Textiles, Inc., Rose Hill, N.C.; 2-8-69 to 2-7-70; 10 learners (children's outerwear pants).

Rosebud Manufacturing Co., Vidalia, Ga.; 2-1-69 to 1-31-70 (women's lingerie).

Rothley, Inc., Decatur, Ill.; 2-10-69 to 2-9-70; 10 learners (ladies' dresses).

Rowland Manufacturing Co., Rowland, N.C.; 2-11-69 to 2-10-70 (men's and boys' shirts).

Salemberg Manufacturing Co., Salemberg, N.C.; 2-17-69 to 2-16-70 (women's dresses).

Samsons Manufacturing Corp., Wilson, N.C.; 2-9-69 to 2-8-70 (men's dress shirts).

Sharon Manufacturing Co., Sharon, Tenn.; 2-24-69 to 2-23-70 (children's pajamas).

Henry I. Siegel Co., Inc., Bruceton, Tenn.; 2-20-69 to 2-19-70 (men's and boys' pants).

Henry I. Siegel Co., Inc., Tiptonville, Tenn.; 2-1-69 to 1-31-70 (sportcoats and unlined jackets).

Smith Brothers Manufacturing Co., Carthage, Mo.; 2-10-69 to 2-9-70 (men's overalls, coveralls, and jeans' jeans).

Smith Brothers Manufacturing Co., Lamar, Mo.; 2-10-69 to 2-9-70 (men's work jackets and pants).

Smith Brothers Manufacturing Co., Neosho, Mo.; 2-10-69 to 2-9-70 (men's pants).

Society Lingerie Co., Inc., Michigan City, Ind.; 2-25-69 to 2-24-70; 10 learners (women's pajamas and gowns).

Soperton Manufacturing Co., Soperton, Ga.; 2-3-69 to 2-2-70 (men's sport shirts).

Sparta Garment Co., Sparta, Ga.; 2-1-69 to 1-31-70 (men's and boys' pants).

Stein-Way Clothing Co., Inc., Johnson City, Tenn.; 2-17-69 to 2-16-70 (men's and boys' trousers and shorts).

Levi Strauss & Co., Arkadelphia, Ark.; 2-23-69 to 2-22-70 (men's and boys' pants).

Levi Strauss & Co., Murphy, N.C.; 2-7-69 to 2-6-70 (men's and boys' pants).

Sturgis Clothing Co., Sturgis, Ky.; 2-1-69 to 1-31-70 (men's pants).

Tompkinsville Manufacturing Co., Tompkinsville, Ky.; 2-13-69 to 2-12-70 (men's work pants).

The Van Heusen Co., Augusta, Ark.; 2-28-69 to 2-27-70 (men's dress shirts).

J. M. Wood Manufacturing Co., Inc., Temple, Tex.; 2-25-69 to 2-24-70 (men's combat trousers and slacks).

Woolfolk Manufacturing Corp., Louisa, Va.; 2-17-69 to 2-16-70 (men's and boys' pants).

The following plant expansion certificates were issued authorizing the number of learners indicated.

Angelica Uniform Co., Eminence, Mo.; 2-10-69 to 2-9-69; 65 learners (women's and men's washable uniforms).

Angelica Uniform Co., Summersville, Mo.; 2-10-69 to 2-9-69; 75 learners (women's washable uniforms).

Eudora Garment Corp., Eudora, Ark.; 2-20-69 to 2-19-69; 25 learners (washable service apparel).

The Jay Garment Co., Clarksville, Tenn.; 2-9-69 to 2-8-69; 30 learners (men's work suits and shirts).

Junction City Mfg. Corp., Junction City, La.; 2-18-69 to 2-17-69; 35 learners (ladies' foundation garments).

Marshville Mfg. Co., Marshville, N.C.; 2-10-69 to 2-9-69; 50 learners (ladies' dresses).

Quannah Mfg. Co., Quannah, Tex.; 2-13-69 to 2-12-69; 100 learners (ladies' and girls' blouses).

Rothley, Inc., Decatur, Ill.; 2-10-69 to 2-9-69; 20 learners (ladies' dresses).

Seaboard Mfg. Co., Inc., Seaboard, N.C.; 2-7-69 to 2-6-69; 30 learners (children's dresses and sportswear).

Starke Industries, Starke, Fla.; 2-3-69 to 2-2-69; 20 learners (children's pants, coats and jackets).

Stephenson Enterprises, Inc., Folkston, Ga.; 2-7-69 to 2-6-69; 85 learners (men's and boys' pants).

**Cigar Industry Learner Regulations** (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.80 to 522.85, as amended).

Jno. H. Swisher & Son, Inc., Cullman, Ala.; 2-1-69 to 1-31-70; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Jno. H. Swisher & Son, Inc., Jacksonville, Fla.; 2-1-69 to 1-31-70; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Jno. H. Swisher & Son, Inc., Waycross, Ga.; 2-1-69 to 1-31-70; 10 percent of the total number of factory production workers for normal labor turnover purposes.

**Glove Industry Learner Regulations** (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Banner Elk Glove Co., Banner Elk, N.C.; 2-14-69 to 2-13-70; 10 learners for normal labor turnover purposes (leather palm work gloves).

Banner Elk Glove Co., Banner Elk, N.C.; 2-26-69 to 2-25-69; 20 learners for plant expansion purposes (leather palm work gloves).

Coshoccon Plant, Coshoccon, Ohio; 2-1-69 to 1-31-70; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Good Luck Glove Co., Metropolis, Ill.; 2-13-69 to 2-12-70; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Marso & Rodenborn Manufacturing Co., Fort Dodge, Iowa; 2-26-69 to 2-25-70; 10 learners for normal labor turnover purposes (work gloves).

Mid West Glove Corp., Chillicothe, Mo.; 2-25-69 to 2-24-70; 10 learners for normal labor turnover purposes (leather and leather palm work gloves).

**Hosiery Industry Learner Regulations** (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.40 to 522.43, as amended).

Belmont Hosiery Mills, Inc., Belmont, N.C.; 2-1-69 to 1-31-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

James Knitting Co., Inc., Greenville, Tenn.; 2-20-69 to 2-19-70; 5 learners for normal labor turnover purposes (seamless).

Van Raalte Co., Inc., Blue Ridge, Ga.; 2-11-69 to 2-10-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

**Knitted Wear Industry Learner Regulations** (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.30 to 522.35, as amended).

Ainsbrooke Co., Carmi, Ill.; 2-1-69 to 1-31-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (underwear).

Almark Mills, Inc., Dawson, Ga.; 2-20-69 to 2-19-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's pajamas).

Almark Mills, Inc., Dawson, Ga.; 2-20-69 to 2-19-69; 40 learners for plant expansion purposes (ladies' and children's pajamas).

H. W. Gossard Co., Poplar Bluff, Mo.; 2-4-69 to 2-3-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's underwear and nightwear).

Hazlehurst Manufacturing Co., Inc., Hazlehurst, Ga.; 2-21-69 to 2-20-70; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Lady Jane Manufacturing Co., Inc., Kulpmont, Pa.; 2-28-69 to 2-27-69; 20 learners for plant expansion purposes (ladies' underwear).

Russell Mills, Inc., Montgomery, Ala.; 2-1-69 to 1-31-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (underwear).

Russell Mills, Inc., Montgomery, Ala.; 2-1-69 to 2-31-69; 45 learners for plant expansion purposes (underwear).

**Regulations Applicable to the Employment of Learners** (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Bayuk Ciales, Inc., Ciales, P.R.; 1-7-69 to 4-30-69; 24 learners for plant expansion purposes in the occupations of sorting, sizing, tying, and grading, each for a learning period of 240 hours at the rate of \$1.05 an hour (wrapper type tobacco) (replacement certificate).

Central Knitting Mills, Inc., San German, P.R.; 2-21-69 to 2-20-70; 4 learners for normal labor turnover purposes in the occupation of knitting, for a learning period of 480 hours at the rate of \$1.17 an hour for the first 240 hours and \$1.34 an hour for the remaining 240 hours (full-fashioned knitted wear).

D & D Fashions, Inc., Las Piedras, P.R.; 1-27-69 to 7-26-69; 30 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of \$1.13 an hour (ladies' lingerie).



Midland Knitting Mills, Inc., San German, P.R.; 2-21-69 to 2-20-70; 5 learners for normal labor turnover purposes in the occupation of knitting for a learning period of 480 hours at the rates of \$1.17 an hour for the first 240 hours and \$1.34 an hour for the remaining 240 hours (full-fashioned knitted garments).

Moca Mills, Inc., Moca, P.R.; 2-17-69 to 2-16-70; 5 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of \$1 an hour (men's and boys' briefs).

Northridge Knitting Mills, San German, P.R.; 2-17-69 to 2-16-70; 6 learners for normal labor turnover purposes in the occupation of knitting, for a learning period of 480 hours at the rates of \$1.17 an hour for the first 240 hours and \$1.34 an hour for the remaining 240 hours (full-fashioned knitted garments).

Van Heusen of Puerto Rico, Aguadilla, P.R.; 2-21-69 to 2-20-70; 17 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of \$1 an hour (dress shirts).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 15th day of April 1969.

ROBERT G. GRONEWALD,  
Authorized Representative  
of the Administrator.

[F.R. Doc. 69-4891; Filed, Apr. 23, 1969;  
8:48 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 1288]

### MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

APRIL 18, 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 joiner, 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 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 730 (Sub-No. 306), filed April 7, 1969. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. 94604. Applicant's representative: Alfred G. Krebs (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commis-

sion, livestock, commodities in bulk, and those requiring special equipment), between Akron, Ohio, and St. Paul, Minn.: From Akron over U.S. Highway 224 to junction U.S. Highway 42, thence over U.S. Highway 42 to junction U.S. Highway 30, near Mansfield, Ohio (also, from Akron over Interstate Highway 80S to junction Interstate Highway 71, thence over Interstate Highway 71 to junction U.S. Highway 30, near Mansfield, Ohio), thence over U.S. Highway 30N to Delphos, Ohio (also, over U.S. Highway 30S to Delphos, Ohio), thence over U.S. Highway 30 to junction U.S. Highway 41, at or near Schererville, Ill., thence over U.S. Highway 41 to Chicago, Ill., thence over Interstate Highway 55 to junction Interstate Highway 294, thence over Interstate Highway 294 to junction Interstate Highway 90 thence over Interstate Highway 90 to Madison, Wis., thence over Interstate Highways 90 and 94 to junction U.S. Highway 12 (Interstate Highway 94) at or near North Tomah, Wis., thence over U.S. Highway 12 (Interstate Highway 94) to Eau Claire, Wis., and thence over Interstate Highway 94 to St. Paul, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. **NOTE:** Applicant holds contract carrier authority under MC 133094, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Akron, Ohio, or St. Paul, Minn.

No. MC 2066 (Sub-No. 1), filed April 2, 1969. Applicant: R. M. SULLIVAN TRANSPORTATION, INC., 649 Cottage Street, Springfield, Mass. 01104. Applicant's representative: Arthur M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. 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 Springfield, Mass., on the one hand, and, on the other, points in New Hampshire, Rhode Island, and Connecticut. **NOTE:** The instant application seeks authority to add Springfield, Mass., as a gateway point for the performance of irregular route operations under certificate No. MC 2066. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass., or Hartford, Conn.

No. MC 2253 (Sub-No. 37), filed March 21, 1969. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C. 28021. Applicant's representatives: Guy H. Postell and Frank D. Hall, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, household goods as defined by the Commission, commodities

<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.



in bulk, and those requiring special equipment): (A) between Kings Mountain, N.C., and New York, N.Y., from Kings Mountain over U.S. Highway 29 via Salisbury, N.C., to Greensboro, N.C. (also from junction U.S. Highway 29 and Alternate U.S. Highway 29, near Concord, N.C., over Alternate U.S. Highway 29 to junction U.S. Highway 29 near China Grove, N.C., and thence over U.S. Highway 29 to Salisbury), thence over U.S. Highway 70 to Durham, N.C., thence over U.S. Highway 15 to Oxford, N.C., thence over U.S. Highway 158 to Henderson, N.C., thence over U.S. Highway 1 to Baltimore, Md., thence over U.S. Highway 40 to junction U.S. Highway 13, thence over U.S. Highway 13 to Philadelphia, Pa., thence over U.S. Highway 1 to New York, and return over the same route; and (B) from Kings Mountain over U.S. Highway 29 to Charlotte, N.C., thence over North Carolina Highway 27 to Carthage, N.C., thence over U.S. Highway 15 to junction U.S. Highway 1, thence over U.S. Highway 1 to Henderson, N.C., thence to New York as specified above, and return over the same route, serving no intermediate points, and serving the off-route points of Reading, Lebanon, Harrisburg, Allentown, Pottstown, and Phoenixville, Pa., in (A) and (B) above. Note: If a hearing is deemed necessary, applicant requests it convene at Orlando, Fla., and terminate at Atlanta, Ga.

No. MC 2754 (Sub-No. 15), filed March 27, 1969. Applicant: NEUENDORF TRANSPORTATION CO., a corporation, 121 South Stoughton Road, Madison, Wis. 53701. Applicant's representative: Robert E. Bryant (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Prentice and Park Falls, Wis., over Wisconsin Highway 13, serving all intermediate points, (2) serving Mosinee, Wis., as an off-route point in connection with applicant's regular-route authority, (3) between Madison, Wis., and Chicago, Ill., over Interstate Highway 90, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's presently-authorized regular-route operations, (4) between Madison, Wis., and Chicago, Ill., over Interstate Highway 94, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular-route operations, (5) between junction U.S. Highway 41 and Interstate Highway 94 near Zion, Ill., and Chicago, Ill., over U.S. Highway 41, serving no intermediate points, and serving junction U.S. Highway 41 and Interstate Highway 94 for purposes of joinder only, as an alternate route for operating convenience only in connection with applicant's presently-authorized regular-route operations. Note: Applicant states

that it proposes to tack the proposed operations described above with its presently authorized regular-route operations so as to render a complete coordinated service in the transportation of general commodities. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 3252 (Sub-No. 56), filed April 4, 1969. Applicant: PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine 04104. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Caustic soda and sodium hypochlorite, in bulk, in tank vehicles, from Orrington, Maine, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York and New Jersey. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 4405 (Sub-No. 468), filed March 31, 1969. Applicant: DEALERS TRANSIT, INC., 7701 South Lawndale Avenue, Chicago, Ill. 60652. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tractors, excavating, trailers, parts and attachments therefor, when moving in connection with the above named tractors, from Perry, Okla., to points in the United States (except Oklahoma and Hawaii). Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 5429 (Sub-No. 20), filed April 3, 1969. Applicant: LYON VAN LINES, INC., 3416 South La Cienega Boulevard, Los Angeles, Calif. 90018. Applicant's representative: Warren N. Grossman, 825 City National Bank Building, 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Autogyros and component parts, partially knocked down, uncrated, and blades and booms thereof, crated and uncrated, between El Segundo, Calif., and Lake Havasu City, Ariz., on the one hand, and, on the other, points in the United States on and west 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 Itsaca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada (except Alaska and Hawaii). Note: Applicant states it does not intend to tack, and is apparently willing to accept a re-

striction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 8973 (Sub-No. 15), filed April 2, 1969. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, N.J. 07047. 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: Plastic articles, hardware, building materials, equipment, and supplies (except in bulk), from the warehouse and plant facilities of Alcan Aluminum Corp., located at Woodbridge, N.J., on the one hand, and, on the other, points in New Jersey, New York, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, Ohio, Delaware, Maryland, Virginia, and the District of Columbia. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 10761 (Sub-No. 238), filed April 1, 1969. Applicant: TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Potatoes, fresh frozen, or cooked frozen, vegetables, fresh, or green, cold packed or frozen, potatoes, flaked or dehydrated, separate or in mixed loads, from the plantsite and storage facilities of Ore-Ida Foods, Inc., at or near Greenville, Mich., as an off-route point to and from applicant's authorized authority to serve Grand Rapids, Mich., as shown in MC 10761. Note: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 11207 (Sub-No. 282), filed March 21, 1969. Applicant: DEATON, INC., 317 Avenue W, Post Office Box 1271, Birmingham, Ala. 35201. Applicant's representative: Virgil H. Smith, 431 Title Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Boxes, fiberboard, other than corrugated and bottle carrying cartons, from plantsite and warehouses of the Mead Packaging Division of Mead Corp. in Fulton County, Ga., to points in Mississippi, Arkansas, Oklahoma, Louisiana, and Texas. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 25798 (Sub-No. 184), filed April 7, 1969. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to



operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods*, from Monroe City, Mo., to points in Alabama, Florida, Georgia, and Tennessee (except Memphis). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Atlanta, Ga.

No. MC 23441 (Sub-No. 9), filed April 1, 1969. Applicant: LAY TRUCKING COMPANY, INC., 1312 Lake Street, Laporte, Ind. 46350. 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: *Tires, tubes, and accessories thereto*, from Carlisle, Pa., to points in Pennsylvania, New York, Connecticut, New Jersey, Ohio, Indiana, Kentucky, Wisconsin, Illinois, and North Carolina. **NOTE:** Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Indianapolis, Ind.

No. MC 29079 (Sub-No. 53), filed March 27, 1969. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union Street, Kokomo, Ind. 46901. 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: *Wooden pellets*, from Hartford, Ky., to points in Illinois, Indiana, those in Michigan south of Mason, Lake, Osceola, Clare, Gladwin, and Arenac Counties, and Saginaw Bay, Mich., and points in Ohio. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 30844 (Sub-No. 268), filed March 20, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. 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 appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from Eau Claire, Wis., and St. Paul, Minn., to points in Alabama, Louisiana, Mississippi, Tennessee, and Texas. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 30844 (Sub-No. 270), filed March 24, 1969. Applicant: KROBLIN

REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aquariums, household pet cages, loose and in cartons, and aquariums supplies, accessories, and equipment*, in straight and mixed shipments, from Maywood, Paterson, Saddle Brook, and Mahwah, N.J., to points in Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, Kansas, Missouri, Arkansas, Oklahoma, Texas, Louisiana, West Virginia, Kentucky, and Tennessee; and (2) *raw materials and supplies* used in the manufacture of aquariums and household pet cages, from Maywood, Paterson, Saddle Brook, and Mahwah, N.J., and Philadelphia, Pa., to Mountain View and Gardena, Calif. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 30844 (Sub-No. 271), filed March 24, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such articles as are dealt in by retail discount stores (except foodstuffs and commodities in bulk)*, from New York, N.Y., and points in the New York, N.Y., commercial zone as defined by the Commission, to points in Iowa, and Freeport, Rockford, Peru, Galesburg, Peoria, Pekin, Mattoon, and Moline, Ill. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 32562 (Sub-No. 28) (Correction), filed March 3, 1969, published *FEDERAL REGISTER* issue of April 10, 1969, corrected and republished this issue. Applicant: POINT EXPRESS, INC., Box 10185, Charleston, W. Va. 25312. Applicant's representative: Jacob P. Billig, 1108 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, commodities in bulk, and those requiring special equipment)*, between the junction of U.S. Highway 23 and Kentucky Highway 1 near Louisa, Ky., and the junction of Kentucky Highway 3 and U.S. Highway 23 south of Catlettsburg, Ky.; From the junction of Kentucky Highway 1 (formerly portion of U.S. Highway 23) and U.S. Highway 23 (formerly Kentucky Highway 3) near Louisa, Ky., over U.S. Highway 23 to junction

Kentucky Highway 3 (formerly U.S. Highway 23) and U.S. Highway 23 (formerly Kentucky Highway 3) south of Catlettsburg, Ky., and return over the same route, serving all intermediate points. **NOTE:** The purpose of this republication is to show that applicant is serving all intermediate points in lieu of serving no intermediate points, which was erroneously published in previous publication. If a hearing is deemed necessary, applicant requests it be held at Charleston, or Huntington, W. Va., or Lexington, Ky.

No. MC 32882 (Sub-No. 44), filed March 28, 1969. Applicant: MITCHELL BROS. TRUCK LINES, a corporation, 3841 North Columbia Boulevard, Portland, Ore. 97217. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit or pipe, and fittings, cement, and asbestos fiber including rubber washers*, from Stockton, Calif., to points in Nevada, Utah, Idaho, and Montana. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 33641 (Sub-No. 86), filed March 27, 1969. Applicant: IML FREIGHT, INC., Post Office Box 2277, Salt Lake City, Utah 84110. Applicant's representative: Edward J. Hegerty, Shell Building, 100 Bush Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silver bullion*, from Garfield, Utah, to New York, N.Y. **NOTE:** Common control may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 35628 (Sub-No. 296), filed March 20, 1969. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville SW., Grand Rapids, Mich. 49502. Applicant's representative: Leonard D. Verdier, 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk)*, serving the plantsite of Montgomery Elevator Co. in Henry County, Ill., as an off-route point in connection with applicant's regular-route operations to and from Moline, Ill., as authorized at revised sheet 6 of certificate MC 35628. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Moline or Chicago, Ill.

No. MC 40428 (Sub-No. 14), filed April 7, 1969. Applicant: CROSS TRANSPORTATION, INC., 61 Broad Avenue, Fairview, N.J. 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: *Glass containers and boxes, paper, fiberboard or pulpboard, in sheets or rolls and paper, fiberboard, or pulpboard liners or fillers*, from points in Hudson County, N.J., to points in Pennsylvania (except points in the Philadelphia, Pa., commercial zone). **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 42487 (Sub-No. 711), filed April 1, 1969. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden, Western Traffic Service, Post Office Box 3062, Portland, Ore. 97208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Benzoic acid*, in bulk, in tank vehicles, from Kalama, Wash., to Chattanooga, Tenn. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore., or Seattle, Wash.

No. MC 43421 (Sub-No. 41), filed March 27, 1969. Applicant: DOHRN TRANSFER COMPANY, a corporation, 4016 Ninth Street, Rock Island, Ill. 61201. Applicant's representative: David Axelrod, 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, and those injurious or contaminating to other lading), between junction U.S. Highway 34 and Illinois Highway 47 at or near Yorkville, Ill., and junction U.S. Highways 41 and 30 at or near Schererville, Ind., from junction U.S. Highway 34 and Illinois Highway 47 at or near Yorkville, Ill., over Illinois Highway 47 to junction Illinois Highway 126, thence over Illinois Highway 126 to junction U.S. Highway 30 at or near Plainfield, Ill., thence over U.S. Highway 30 to junction U.S. Highway 41 at or near Schererville, Ind., and return over the same route, as an alternate route for operating convenience only, serving the junction of U.S. Highways 30 and Alternate 66 at or near Joliet, Ill., for purpose of joinder only. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 46267 (Sub-No. 7), filed April 7, 1969. Applicant: RALPH A. SCOTT, doing business as SCOTT FREIGHT SERVICE, 4740 Industrial Road, Fort Wayne, Ind. Applicant's representative: Walter F. Jones, Jr., 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, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Essex International, Inc., located in Whitley County, Ind., 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 Indianapolis, Ind., or Chicago, Ill.

No. MC 50069 (Sub-No. 420), filed March 27, 1969. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resins*, in bulk, in tank vehicles, from Detroit, Mich., to Morganton, N.C. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. 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 50493 (Sub-No. 44), filed April 3, 1969. Applicant: P.C.M. TRUCKING, INC., 1063 Main Street, Orefield, Pa. Applicant's representative: Frank A. Doocey, 601 Hamilton Street, Allentown, Pa. 18101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed and animal feed ingredients*, between Allentown, Pa., and points in Florida, Georgia, North Carolina, and South Carolina. **NOTE:** Applicant holds contract carrier authority under MC 115859 and Subs. Applicant states upon approval of application, it will surrender such contract carrier rights as are duplicated by application. Applicant further states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 56409 (Sub-No. 6), filed March 27, 1969. Applicant: MAJOR TRANSPORT, INC., Box 204, Palmyra, Wis. 53163. Applicant's representative: William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Distilled and pasteurized water*, in glass and plastic containers, from Waukesha, Wis., and the town of Genesee, Waukesha County, Wis., to points in Illinois; (2) *nonalcoholic carbonated beverages* (soda water), from Gary, Ind., to Waukesha, Wis.; (3) *nonalcoholic carbonated beverages* (soda water) from Waukesha, Wis., to points in Illinois; (4) *glass and plastic containers* from points in Illinois to Waukesha, Wis., and the town of Genesee, Waukesha County, Wis. **NOTE:** Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted.

If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 57591 (Sub-No. 14), filed April 1, 1969. Applicant: EVANS DELIVERY COMPANY, INC., Rural Delivery 3, Post Office Box 268, Pottsville, Pa. 17972. 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, equipment, materials, and supplies* used or useful in the manufacture or sale of wearing apparel, between the facilities of Phillips Van Heusen Corp., located at Pottsville and Schuylkill Haven, Pa., on the one hand, and, on the other, points in the New York, N.Y., commercial zone, as defined by the Commission. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Pottsville, Pa., or Washington, D.C.

No. MC 59856 (Sub-No. 32), filed April 1, 1969. Applicant: SALT CREEK FREIGHTWAYS, a corporation, 408 Industrial Avenue, Post Office Box 1411, Casper, Wyo. 82601. Applicant's representative: Alvin J. Melklejohn, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Douglas and Reno Junction, Wyo. (at the intersection of Wyoming Highways 387 and 59), over Wyoming Highway 59, serving no intermediate points, as an alternate route for operating convenience only. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 59934 (Sub-No. 8), filed April 1, 1969. Applicant: MAIN TRUCKING & RIGGING CO., INC., 21 Camden Street, Paterson, N.J. 07503. Applicant's representative: William 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: (1) *Commodities*, which require the use of special equipment or special handling by reason of size or weight; and (2) *ordnance materials and supplies and quartermaster supplies* (except household goods and commodities in bulk), to, from, and between military installations and Department of Defense establishments in the United States, except Hawaii. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 60012 (Sub-No. 79), filed March 26, 1969. Applicant: RIO GRANDE MOTOR WAY, INC., 1400 West



52d Avenue, Denver, Colo. 80221. Applicant's representative: Warren D. Braucher, 604 Rio Grande Building, Denver, Colo. 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Pueblo Army Depot, at or near Avondale, Colo., as an off-route point in connection with applicant's authorized regular-route operations. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61231 (Sub-No. 43), filed March 28, 1969. Applicant: ACE-ALKIRE FREIGHT LINES, INC., 4143 East 43d Street, Des Moines, Iowa 50317. 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: *Feed and feed supplements*, from Chicago, Ill., to points in Missouri and Nebraska. **NOTE:** Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 61403 (Sub-No. 195), filed March 24, 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: *Chemicals*, in bulk, from Tampa, Fla., to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Taft, La., Texas City, Tex., and Charleston, W. Va. **NOTE:** Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Tampa, Fla.

No. MC 61403 (Sub-No. 196), filed March 24, 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: *Bicarbonate of Soda*, in bulk, from Saltville, Va., to points in Ohio. **NOTE:** Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 64932 (Sub-No. 468), filed March 27, 1969. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60603. Applicant's representative: Carl Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the storage facilities of Gulf Central Pipeline Co., located at or near (1) Marshalltown, Iowa, to points in Illinois, Iowa, Minnesota, Missouri, and Wisconsin; (2) Cowden, Ill., to points in Illinois, Indiana, Iowa, and Missouri; (3) Spencer, Iowa, to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin; and (4) Frankfort, Ind., to points in Illinois, Indiana, Michigan, and Ohio. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 64932 (Sub-No. 469), filed March 27, 1969. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60603. 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: *Grease or tallow*, inedible, in bulk, in tank vehicles, from Detroit, Mich., to points in Illinois, Indiana, Kentucky, Ohio, and Wisconsin. **NOTE:** Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 64932 (Sub-No. 470), filed March 27, 1969. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60603. 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: *Fertilizer and fertilizer ingredients, feed and feed ingredients, and industrial aqua ammonia*, in bulk, in tank vehicles, from the plantsite and/or storage facilities of Duesterhaus Fertilizer Co., Inc., at or near Palmyra, Mo., to points in Illinois, Iowa, Kansas, Minnesota, Nebraska, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 73165 (Sub-No. 262), filed March 24, 1969. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Post Office Box 1348, Birmingham, Ala. 35201. Applicant's representative: Robert M. Pearce, Post Office Box E., Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wire crates and wire cases*, and (2) *materials, supplies, and equipment* used in the manufacture of wire crates and wire cases, between points in Monroe County, Ark., on the one hand, and, on the other, points in Oklahoma, Texas, and all States east of the Mississippi River. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 73165 (Sub-No. 263), filed March 28, 1969. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. 35201. Applicant's representative: Ocie Cook, Jr., Post Office Box 1348, Birmingham, Ala. 35201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipe fittings, cast iron meter boxes, manhole frames, and manhole covers* (except those which because of size and weight require the use of special equipment, and except pipe and pipe fittings such as are included in the first findings of the Commission in *T. E. Mercer and G. E. Mercer—extension—Oil Field Commodities*, 74 M.C.C. 459 and 543), between the plantsite of Western Foundry Co., a division of Woodward Iron Co., at or near Tyler, Tex., and points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 80428 (Sub-No. 70), filed March 28, 1969. Applicant: McBRIDE TRANSPORTATION, INC., Main and Nelson Streets, Goshen, N.Y. Applicant's representative: Robert V. Gianniny, 900 Middtown Tower, Rochester, N.Y. 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed*, in bulk, from Manheim, Pa., and Albany, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Rhode Island, and Vermont. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83083 (Sub-No. 2), filed March 19, 1969. Applicant: HOWARD D. BAKER, doing business as DON BAKER, 925 North Central Avenue, Paris, Edgar County, Ill. 61914. Applicant's representative: W. L. Jordan, 205 Merchants Saving Building, Terre Haute, Ind. 47801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal—Industrial*, crushed, ground or slack, from points in Greene, Owen, and Sullivan Counties, Ind., to plantsite of Illinois Cereal Mills, Inc., at Paris, Edgar County, Ill. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill., or Indianapolis, Ind.

No. MC 92983 (Sub-No. 531) (Amendment), filed September 9, 1968, published *FEDERAL REGISTER* issues of September 26, 1968, and March 27, 1969, amended and



republished as amended this issue. Applicant: ELDON MILLER, INC., Post Office Box 2508, Kansas City, Mo. 64142. Applicant's representative: Eldon Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer ingredients*, in bulk, from the plantsite and/or storage facilities of the Monsanto Co. at or near El Dorado, Ark., to points in Alabama, Georgia, Florida, Kentucky, Louisiana, Mississippi, Oklahoma, South Carolina, Tennessee, and Texas, restricted to traffic originating at the said plant and/or storage facilities, and destined to the named States. **NOTE:** Common control may be involved. The purpose of this republication is to add the destination State of Florida. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Kansas City, Mo.

No. MC 94201 (Sub-No. 67), filed April 2, 1969. Applicant: BOWMAN TRANSPORTATION, 1010 Stroud Avenue, East Gadsden, Ala. 35903. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clorox* (sodium hypochlorite solution) in bottles in cartons, from the plantsite, warehouse, and storage facilities of the Clorox Corp. at or near Atlanta, Ga., to points in Mississippi. **NOTE:** Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 94350 (Sub-No. 220), filed March 26, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as above). 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 in truckaway service, from New Hanover County, N.C., to points in the United States east of the Mississippi River, including Minnesota and Louisiana. **NOTE:** Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Wilmington, N.C.

No. MC 97872 (Sub-No. 3), filed January 31, 1969. Applicant: R. L. NEHLS TRANSFER, INC., 315 Barrington Avenue, Dundee, Ill. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Boone, Cook, De Kalb, Du Page, Grundy, Kane, Kendall, Lake, McHenry, Ogle, Will, Winnebago, and La Salle Counties, Ill. **NOTE:** Applicant states it now holds certificate of registration No. MC-97872 Sub 1 authorizing the above transportation. The purpose of the

instant application is to convert said certificate of registration to a certificate of public convenience and necessity. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 99213 (Sub-No. 13), filed March 21, 1969. Applicant: VIRGINIA FREIGHT LINES, a corporation, Kilmarnock, Va. 22482. Applicant's representative: Jno. C. Goddin, Post Office Box 1636, Richmond, Va. 23213. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Office Hall, Va., as an intermediate point on carrier's presently authorized regular route between Baltimore, Md., and Burgess Store, Va. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 99899 (Sub-No. 3), filed April 3, 1969. Applicant: CERTIFIED FREIGHT LINES, INC., 2163 East 14th Street, Los Angeles, Calif. 90021. Applicant's representative: Warren N. Grossman, 825 City National Bank Building, 606 South Olive Street, Los Angeles, Calif. 90014. 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, classes A and B explosives, commodities in bulk, and those requiring special equipment), serving the Diablo Canyon Nuclear Power Plant located approximately 7 miles northwest of the unincorporated community of Avila Beach, Calif., as an off-route point in connection with applicant's regular route operations between Los Angeles and San Francisco, Calif. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 100666 (Sub-No. 135), filed March 24, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal briquettes*, from Dierks, Ark., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Utah, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 102616 (Sub-No. 833), filed March 24, 1969. Applicant: COASTAL TANK LINES, INC., Post Office Box 7211, 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Wash-

ington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oils*, in bulk, from McKees Rocks, Pa., to points in Kentucky. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 103926 (Sub-No. 20), filed March 19, 1969. Applicant: W. T. MAYFIELD SONS TRUCKING CO., a corporation, Post Office Box 43171, Industrial Branch, Atlanta, Ga. 30336. Applicant's representative: R. J. Reynolds, Jr., 604-09 Healey Building, Atlanta, Ga. 30303. 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; (2) *ordnance equipment, materials, and supplies and quartermaster supplies* (except household goods and commodities in bulk); and (3) *helicopters and helicopter parts and accessories*, between military installation or Defense Department establishments, located at points in the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, and the Red River Army Depot at Texarkana, Tex. **NOTE:** Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Applicant also states that to a limited extent, the authority applied in part (1) of the instant application might duplicate the authority presently held in its Sub 8 certificate. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 103993 (Sub-No. 390), filed March 17, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghe-sani (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: *Houseboats*, mounted on wheeled undercarriages, from the plantsite and storage facilities of Stardust Cruiser Manufacturing Co., at Chattanooga, Tenn., to points in California, Florida, Louisiana, New Hampshire, Wisconsin, and the District of Columbia. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn.

No. MC 103993 (Sub-No. 394), filed March 24, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghe-sani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Camp coaches and pickup campers*, from points in Josephine



County, Oreg., to points in Oregon, Washington, California, Idaho, Colorado, Utah, and Montana. NOTE: Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 103993 (Sub-No. 395), filed March 24, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borgheant (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trailers designed to be drawn by passenger automobiles, from points in Belmont County, Ohio, to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia. NOTE: Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 10545 (Sub-No. 21), filed March 18, 1969. Applicant: R. L. JEFFRIES TRUCKING CO., INC., 1020 Pennsylvania Street, Evansville, Ind. 47708. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. 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; (2) *ordnance equipment, materials and supplies*; and (3) *quartermaster supplies* (except household goods and commodities in bulk), to, from, and between military installations of Defense Department establishments and ports of embarkation in the States of Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107002 (Sub-No. 369), filed March 23, 1969. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representatives: John J. Borth (same address as applicant), and H. D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Delhi, La., to points in Mississippi. NOTE: Applicant states that although tacking is not contemplated at this time, the authority

sought could be joined with various authorities at points in Mississippi to perform a through service over reasonable service routes to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Ohio, and Tennessee. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 107002 (Sub-No. 370), filed April 1, 1969. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representatives: John J. Borth (same address as applicant), and H. D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Memphis, Tenn., to points in Tennessee. NOTE: Applicant states that although tacking is not contemplated, the authority sought could be combined with various authorities to perform through service from points in Mississippi. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 107002 (Sub-No. 371), filed April 1, 1969. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representatives: John J. Borth (same address as applicant), and H. D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, sodium nitrate, and water solutions*, in bulk, in tank vehicles, from McAdory, Ala., to New Orleans, La. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Jackson, Miss.

No. MC 107496 (Sub-No. 715), filed March 17, 1969. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk; (1) from the storage facilities of Central Farmers Fertilizer Co. located at or near Spencer, Iowa, to points in Iowa, Minnesota, North Dakota, Nebraska, South Dakota, and Wisconsin; (2) from the storage facilities of Gulf Central Pipeline Co. located at or near Marshalltown, Iowa, to points in Illinois, Iowa, Missouri, Minnesota, and Wisconsin; (3) from the storage facilities of Central Farmers Fertilizer Co. located at or near Cowden, Ill., to points in Illinois, Indiana, Iowa, and Missouri; and (4) from the storage facilities of Central Farmers Fertilizer Co. located at or near Frankfort, Ind., to points in Illinois, Indiana, Michigan, and Ohio. NOTE: Common control may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction

against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 107496 (Sub-No. 721), filed April 1, 1969. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals, liquid feed supplement, and mineral oil*, in bulk, from Fort Lupton, Colo., to points in Wyoming, Nebraska, Montana, Kansas, Utah, and New Mexico. NOTE: Common control may be involved. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Omaha, Nebr.

No. MC 107496 (Sub-No. 722), filed April 1, 1969. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. D. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand with additives*, from Aurora, Ill., to points in the United States on and east of U.S. Highway 85. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 107515 (Sub-No. 648), filed April 1, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquors, malt, ale, beer and beer tonic, porter, stout, and related advertising matter, and empty containers, pallets, returned, refused, and rejected shipments*, on return, from the Pabst Brewing Co., Houston County, Ga., to points in Alabama, Florida, Mississippi, North Carolina, South Carolina, Georgia, and Tennessee. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.; Milwaukee, Wis., or Washington, D.C.

No. MC 107515 (Sub-No. 649), filed April 1, 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, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report



in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or warehouse facilities of John Morrell & Co. located at or near Ottumwa and Estherville, Iowa, to points in Pennsylvania, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Maryland, Delaware, and the District of Columbia. Restriction: Restricted to traffic originating at the named plantsites and warehouses. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 108207 (Sub-No. 257), filed March 21, 1969. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dental restorative, plastic resin* in liquid and paste, from South El Monte, Calif., to Sherman, Tex. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Dallas, Tex.

No. MC 108295 (Sub-No. 6), filed March 19, 1969. Applicant: HIGHWAY TRANSPORTATION CO., INC., 205 North Carson, St. James, Mo. 65559. Applicant's representative: Joseph R. Nacy, 117 West High Street, Post Office Box 352, Jefferson City, Mo. 65101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, commodities of unusual value, and household goods as defined by the Commission), between mine sites, mill sites, smelter sites, plantsites, supply points, and warehouses located (1) in Reynolds County, Mo.; and (2) in that portion of Iron County, Mo., north and west of Iron County Highways H and W and more particularly described as beginning at the intersection of Iron County Highway H and Iron-Reynolds County line, thence along Iron County Highway H to junction Missouri Highway 21, thence along Missouri Highway 21 to junction Iron County Highway W, thence along Iron County Highway W to the Iron-St. Francois County line, thence northerly along the Iron-St. Francois County line to the Iron-Washington County line, thence westerly along the Iron-Washington County line to the Iron-Crawford County line, thence southerly along the Iron-Crawford and Iron-Dent County lines to the Iron-Reynolds County line, thence easterly along the Iron-Reynolds County line to the point of beginning, both on the one hand, and, on the other, points in Missouri. Note: Applicant states it holds various regular and irregular routes under certificates Nos. MC 108295 and MC 108295 Sub 5, authorizing service to many points in the destination area of

this present application. Tacking could occur at any of these points. The only points or areas not included in this application, which might then be served as a result of such tacking, are points in Illinois in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as defined by the Commission. If a hearing is deemed necessary, applicant requests it be held at St. Louis or Jefferson City, Mo.

No. MC 108340 (Sub-No. 21), filed April 7, 1969. Applicant: HANEY TRUCK LINE, a corporation, 2219 Cedar Street, Forest Grove, Ore. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Ore. 97210. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from points in Yamhill County, Ore. to points in Oregon, Washington, and Idaho; and (2) *scrap metals*, from points in Oregon, Washington, and Idaho to points in Yamhill County, Ore. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 108449 (Sub-No. 297), filed April 1, 1969. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representatives: Wallace A. Myltenbeck (same address as above), and Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Resins*, in bulk, from Chemolite, Minn., to Prairie du Chien, Wis., Chicago, Ill., and Newark, N.J. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 109365 (Sub-No. 32), filed April 1, 1969. Applicant: RONALD A. PATTERSON, doing business as ANTHONY & PATTERSON TRUCK LINE, Post Office Box 15, Ashdown, Ark. 71822. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Charcoal briquettes*, from Dierks, Ark., to points in Alabama, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Utah, and Wisconsin. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 109365 (Sub-No. 33), filed March 27, 1969. Applicant: RONALD A. PATTERSON, doing business as ANTHONY & PATTERSON, Post Office Box

15, Ashdown, Ark. 71822. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, products produced or distributed by manufacturers and converters of paper and paper products*; and (2) *materials and supplies* used in the manufacture and distribution of the commodities described in (1) above (except commodities in bulk, and commodities which, because of size or weight, require the use of special equipment); (a) between points in Little River County, Ark., on the one hand, and, on the other, points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming; and (b) between points in Portage and Wood Counties, Wis., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 110193 (Sub-No. 165) (Amendment), filed February 17, 1969, published FEDERAL REGISTER issue of March 6, 1969, amended March 17, 1969, and republished as amended this issue. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. 46613. Applicant's representative: William J. Monheim (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat byproducts, dairy products, and articles distributed by meat packing-houses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles); (a) from the plantsites and/or warehouse facilities of John Morrell & Co., located at or near Ottumwa, Iowa, and Madison and Sioux Falls, S. Dak., to points in New York, New Jersey, Maryland, Pennsylvania, Maine, New Hampshire, Vermont, Delaware, Michigan, Ohio, Virginia, West Virginia, Massachusetts, Connecticut, Rhode Island, and the District of Columbia (except no authority is sought herein to transport dairy products as described in section B in *descriptions case, supra*, from Ottumwa, Iowa, to points in New York, New Jersey, Rhode Island, Connecticut, and Massachusetts); (b) from the plantsite and/or warehouse facilities of John Morrell & Co., located at or near Estherville, Iowa, to points in Maryland (except Baltimore), Maine, New Hampshire, Vermont, Delaware (except Wilmington), Ohio, Virginia, West Virginia, and Michigan; and (2) *dairy products* as described in section B of the *descriptions case, supra*, from the plantsite and/or warehouse facilities of John Morrell & Co., at or near Estherville, Iowa, to Baltimore, Md., Wilmington, Del., and points in the



District of Columbia. Restriction: The operations sought in (1) and (2) above are to be restricted to the transportation of traffic originating at the plantsites and/or warehouse facilities of John Morrell & Co. at or near Ottumwa, Iowa; Sioux Falls and Madison, S. Dak.; and Estherville, Iowa, and destined to the named territory. **NOTE:** Common control may be involved. The purpose of this republication is to more clearly reflect the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 110420 (Sub-No. 585), filed March 26, 1969. Applicant: **QUALITY CARRIERS, INC.**, 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Thorhorst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean oil, and blends, mixtures, and products thereof*, from Decatur, Ind., to points in Michigan, Illinois, and Wisconsin. **NOTE:** Applicant states it can tack at Chicago, Ill., and Cudahy, Wis., to serve additional destination States. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 110563 (Sub-No. 43), filed April 2, 1969. Applicant: **COLDWAY FOOD EXPRESS, INC.**, Ohio Building, North Ohio Avenue, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat and meat products* as described in section A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, and *frozen food products*, from the plantsites and warehouse facilities of Glidden-Durkee, Division of SCM Corp., located at or near Moosic, and Pittston, Pa., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Nebraska, Ohio, and Wisconsin, restricted to shipments originating at the warehouse facilities and plantsites of Glidden-Durkee, Division of SCM Corp., and destined to the named territory; and (2) *cereals and cereal preparations*, from plantsite and warehouse facilities of Grocery Store Products Co., Inc., at or near West Chester, Pa., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 111434 (Sub-No. 75), filed April 4, 1969. Applicant: **DON WARD, INC.**, 241 West 56th Avenue, Denver, Colo. 80216. Applicant's representative: Peter J. Crouse, 1700 Western Federal Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Vanadium liquor*, in bulk, from the mill of United Nuclear Home-stake Partners, near Grants, N. Mex., to points in Garfield County, Colo. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Farmington, N. Mex.

No. MC 111729 (Sub-No. 279), filed April 1, 1969. Applicant: **AMERICAN COURIER CORPORATION**, 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Commonwealth Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records and audit and accounting media of all kinds, and advertising material moving therewith*, between Raleigh, N.C., on the one hand, and, on the other, points in South Carolina. **NOTE:** Applicant states it will tack with its presently held authority. Applicant holds contract authority under MC 112750, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Raleigh, N.C.

No. MC 112750 (Sub-No. 267), filed April 3, 1969. Applicant: **AMERICAN COURIER CORPORATION**, 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Commonwealth Building, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments, and business records* (except currency and negotiable securities) as are used in the business of banks and banking institutions, (1) between Richmond, Ill., and Milwaukee, Wis.; and (2) between Cedar Rapids, Iowa, on the one hand, and, on the other, points in Fulton, Hancock, Henderson, Knox, McDonough, Mercer, and Warren Counties, Ill.; under contract with banks and banking institutions. **NOTE:** Applicant holds common carrier authority under MC 111729 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 113094 (Sub-No. 17), filed April 3, 1969. Applicant: **R. A. GOULD, INC.**, 5231 Monroe Street, Denver, Colo. 80216. Applicant's representative: Leslie R. Kehl, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Salt Lake City, Utah, and Montrose, Colo., from Salt Lake City south over U.S. Alternate Highway 50 to junction U.S. Highway 50, thence southeasterly over U.S. Highway 50 to Montrose, Colo., and return over the same route, serving all intermediate points. **NOTE:** Applicant states it holds

the above authority with certain restriction under MC 113094 (Sub-No. 15). The instant application seeks to eliminate the said restriction. If and when the present application is granted, applicant will surrender its Sub 15 authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Denver, Colo.

No. MC 113267 (Sub-No. 212), filed March 28, 1969. Applicant: **CENTRAL & SOUTHERN TRUCK LINES, INC.**, 312 West Morris Street, Caseyville, Ill. 62232. Applicant's representative: Lawrence A. Fischer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, when transported in the same vehicle with meats, meat products, and meat byproducts 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); (1) from the plants and storage facilities of Geo. A. Hormel & Co. located at Austin, Minn., Fort Dodge, Iowa, and Fremont, Nebr., to points in Alabama, Kentucky, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee; and (2) from Memphis, Tenn., to points in Arkansas, Mississippi, Alabama, Tennessee, Missouri, Kentucky, and Illinois. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 113267 (Sub-No. 213), filed April 1, 1969. Applicant: **CENTRAL & SOUTHERN TRUCK LINES, INC.**, 312 West Morris Street, Caseyville, Ill. 62232. Applicant's representative: Lawrence A. Fischer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and packinghouse products* as set forth in sections A and C, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or warehouse facilities of the Rod Barnes Packing Co. at or near Huron, S. Dak., to points in Alabama, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 113666 (Sub-No. 35), filed April 3, 1969. Applicant: **FREIGHT TRANSPORT, INC.**, 1200 Butler Road, Freeport, Pa. 16229. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, complete, knockeddown, or in sections, including all component parts, materials, supplies,*



and fixtures, and, when shipped with such buildings, accessories used in the erection, construction, and completion thereof, from Pemberton, N.J., to points in Ohio on and east of U.S. Highway 21, points in West Virginia on and north of U.S. Highway 50 and points in New York on and west of New York Highway 14. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 113678 (Sub-No. 346), filed March 26, 1969. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. 80216. Applicant's representatives: Duane W. Acklie and Richard Paterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pulp and paper, pulp and paper products, and pulp and paper articles*, from points in Putnam County, Fla., and Yulee, Fla., to points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. 113855 (Sub-No. 194), filed March 28, 1969. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55901. Applicant's representative: Franklin J. Van Osdel, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors, with or without attachment, tractor attachments including but not confined to backhoe loaders, ditchers, forklifts, buckets, and parts of the above-named commodities*, between Topeka, Kans., on the one hand, and, on the other, points in Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, Washington, Oregon, and California. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans., Chicago, Ill., or Salt Lake City, Utah.

No. MC 113855 (Sub-No. 195), filed March 28, 1969. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55901. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Pennington County, S. Dak., to points in Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If

a hearing is deemed necessary, applicant requests it be held at Rapid City, S. Dak., Cheyenne, Wyo., or Denver, Colo.

No. MC 113855 (Sub-No. 196), filed April 7, 1969. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55901. Applicant's representative: Franklin J. Van Osdel, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Airplane loading, maintenance, and towing equipment*, from points in California and Pennsylvania, to points in the United States except Hawaii and Alaska. NOTE: Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 114084 (Sub-No. 11), filed March 27, 1969. Applicant: S AND S TRUCKING COMPANY, a corporation, 118 South Oakland Avenue, Statesville, N.C. 28677. Applicant's representative: Francis J. Ortman, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New furniture*, from the plantsite of A. L. Shaver & Sons, Inc., at Statesville, N.C., to points in Connecticut, Massachusetts, Rhode Island, and that portion of New York on and south of a line beginning at the New York-Massachusetts State line and extending west along U.S. Highway 20 to Albany, N.Y., thence along New York Highway 5 to the southern corporate limits of Buffalo, N.Y., and thence west along the southern corporate limits of Buffalo, N.Y., to Lake Erie (excluding New York City, N.Y.). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C., or Washington, D.C.

No. MC 114211 (Sub-No. 122), filed April 4, 1969. Applicant: WARREN TRANSPORT, INC., 305 Whitney Road, Post Office Box 420, Waterloo, Iowa 50704. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, and other forest products*, from points in Grand and Jackson Counties, Colo., and Albany and Carbon Counties, Wyo., to points in Iowa, Michigan, Minnesota, Nebraska, Missouri, Ohio, Illinois, Wisconsin, Indiana, Kansas, Oklahoma, and Texas. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 40), filed March 24, 1969. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids,

Iowa 52406. Applicant's representative: Gene R. Prokusi (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Glenwood, Iowa, to points in Illinois, Indiana, Kansas, Michigan, Missouri, and Ohio, restricted to traffic originating at Glenwood, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114385 (Sub-No. 1), filed March 14, 1969. Applicant: GLOBE TRANSPORTATION CO., a corporation, 2065 Delgany Street, Denver, Colo. 80202. Applicant's representative: Bert L. Penn, 6693 East Vassar Avenue, Denver, Colo. 80222. 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 Boulder, Colo., on the one hand, and, on the other, points in Boulder County, Colo. NOTE: Applicant states it intends to tack the authority sought to the authority presently held in MC 114385, and physical joinder will be made at Boulder, Colo., whereas through service between all presently authorized points will be performed. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114848 (Sub-No. 44), filed March 27, 1969. Applicant: WHARTON TRANSPORT CORPORATION, 1498 Channel Avenue, Memphis, Tenn. 38106. Applicant's representative: James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, from Memphis, Tenn., to points in Missouri, Arkansas, Mississippi, Alabama, Tennessee, and Kentucky. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or New Orleans, La.

No. MC 114890 (Sub-No. 41), filed March 25, 1969. Applicant: C. E. REYNOLDS TRANSPORT, INC., 2209 Range Line, Joplin, Mo. 64802. Applicant's representative: J. David Harden, Jr., 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from points in Iron County, Mo., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Nebraska, Oklahoma, Tennessee, and Texas. NOTE: Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking if warranted. If a hearing is



deemed necessary, applicant requests it be held at New York, N.Y., or Kansas City, Mo.

No. MC 114969 (Sub-No. 27), filed March 27, 1969. Applicant: PROPANE TRANSPORT, INC., 27 Water Street, Milford, Ohio 45150. Applicant's representatives: Herbert Baker and 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: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Toledo, Ohio, to points in Hillsdale and Lenawee Counties, Mich., and points in that part of Monroe County, Mich., on and west of U.S. Highway 23. Note: Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 115379 (Sub-No. 35), filed March 24, 1969. Applicant: JOHN D. BOHR, INC., Post Office Box 217, Annville, Pa. 17003. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Clay*, from points in Lancaster County, Pa., to Philadelphia, Pa. (for export traffic only), Connecticut, Massachusetts, New York, New Jersey, Rhode Island, Virginia, West Virginia, Delaware, Maryland, Maine, Vermont, New Hampshire, Illinois, Indiana, Michigan, Ohio, and the District of Columbia; and (2) *poultry meal*, in bulk, from points in Lancaster, Dauphin, and Lebanon Counties, Pa., to Marion, Ohio. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Applicant also states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 115669 (Sub-No. 99), filed April 4, 1969. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. 68933. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed*, from St. Joseph, Mo., to points in Iowa, Kansas, Nebraska, and South Dakota; and (2) *animal and poultry feed ingredients* from St. Joseph, Mo., to points in Iowa and South Dakota. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 115841 (Sub-No. 346), filed March 28, 1969. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: E.

Stephen Heisley, Suite 705, McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products*, and paper produced or distributed by manufacturers and converters of paper and paper products; and (2) *materials, and supplies* used in the manufacture and distribution of the commodities described in (1) above (except commodities in bulk, and commodities, which because of size or weight require the use of special equipment), from points in Escambia and Putnam Counties, Fla., Yulee and Palatka, Fla., and Pine Bluff, Ark., to points in Arkansas, Arizona, California, Illinois (except Chicago and its commercial zone), Indiana (except Indianapolis and its commercial zone), Iowa, Kansas, Kentucky (except Louisville and its commercial zone), Louisiana, Michigan, Minnesota, Missouri, Nebraska, New Mexico, Oklahoma, Oregon, Tennessee (on and west of U.S. Highway 31), Texas, Washington, and Wisconsin. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Jacksonville, Fla., or Washington, D.C.

No. MC 115841 (Sub-No. 347), filed March 28, 1969. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representatives: E. Stephen Heisley, Suite 705, McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001, and C. E. Wesley (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except in bulk), from Bristol, Salem, and Roanoke, Va., to points in New Jersey, New York, Maryland, Pennsylvania, Delaware, Connecticut, Rhode Island, Massachusetts, and the District of Columbia. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 115841 (Sub-No. 348), filed April 4, 1969. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representatives: C. E. Wesley (same address as above), and E. Stephen Heisley, Suite 705, McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and*

*articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except in bulk and except hides), from Scottsbluff, Nebr., to points in Tennessee, North Carolina, and South Carolina. Note: Applicant states it intends to tack to serve Georgia and Alabama. If a hearing is deemed necessary, applicant requests it be held at Nashville or Knoxville, Tenn.

No. MC 116063 (Sub-No. 114), filed April 2, 1969. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road, Post Office Box 270, Fort Worth, Tex. 76101. Applicant's representative: W. H. Cole (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid livestock feed*, in bulk, in tank vehicles, from Houston, Tex., to points in Louisiana, Arkansas, Missouri, Oklahoma, Kansas, Nebraska, Colorado, New Mexico, and Arizona. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Dallas, or Houston, Tex.

No. MC 116254 (Sub-No. 95), filed March 25, 1969. Applicant: CHEM-HAULERS, INC., Post Office Drawer M, Sheffield, Ala. 35660. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Hillsborough County, Fla., to points in Alabama, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Charleston, W. Va.; Taft, La.; and Texas City, Tex. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Washington, D.C.

No. MC 116513 (Sub-No. 1), filed April 2, 1969. Applicant: RICHARD N. GRAHAM, 10 Roxbury Road, Pittsburgh, Pa. 15221. Applicant's representative: Jerome Solomon, 704 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Wire; counter weights for elevators, tractors, and earth moving equipment; pile driving circles; and steel plates, pipe, and coils*, between the plant-site of Tygart Industries, Inc., located in McKeesport, Allegheny County, Pa., on the one hand, and, on the other, points in New York, New Jersey, Ohio, West Virginia, Maryland, Washington, D.C., Michigan, Illinois, Indiana, Wisconsin, Virginia, and Delaware; and (2) *wire carriers*, from points in New York, New Jersey, Ohio, West Virginia, Maryland, Washington, D.C., Michigan, Illinois, Indiana, Wisconsin, Virginia, and Delaware to the plant-site of Tygart Industries, Inc., located in McKeesport, Allegheny County, Pa., under contract or



continuing contract with Tygart Industries, Inc., of McKeesport, Allegheny County, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 116544 (Sub-No. 104), filed March 26, 1969. Applicant: WILSON BROTHERS TRUCK LINES, INC., 700 East Fairview Avenue, Post Office Box 636, Carthage, Mo. 64836. Applicant's representative: Robert Wilson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I (except hides and commodities in bulk, in tank vehicles); (a) from Springfield, Mo., to Algona, Iowa, Owatonna and Austin, Minn.; and (b) from Algona, Iowa, to Austin, Minn.; and (2) *meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I; and *foodstuffs*, when transported with the commodities listed immediately above (except hides, and commodities in bulk, in tank vehicles), from Austin, Minn., to points in Missouri, Kansas, Louisiana, and Oklahoma. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 117565 (Sub-No. 17), filed March 26, 1969. Applicant: MOTOR SERVICE COMPANY, INC., 237 South Fifth Street, Coshocton, Ohio 43812. 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: (1) *Trailers*, designed to be drawn by passenger automobiles; and, (2) *campers*, designed for installation in or on trucks, in initial movements, in truckaway service, from points in Richland County, Ohio, to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states it does not intend to tack, and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117686 (Sub-No. 93), filed March 20, 1969. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Post Office Box 417, Sioux City, Iowa 51102. Applicant's representative: George L. Hirschbach (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), and *foodstuffs* when transported in mixed shipments with the commodities named above, from Austin, Minn., Fort Dodge, Iowa, and Fremont, Nebr., to points in Alabama, Mississippi,

and Louisiana, restricted to the transportation of shipments which originated at the sites of the plants and warehouse facilities of George A. Hormel & Co. located at the above-designated origin points and which are destined to points in the above-named States. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 117686 (Sub-No. 94), filed April 2, 1969. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Post Office Box 417, Sioux City, Iowa 51102. Applicant's representative: George L. Hirschbach (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned goods* (except coffee), from Mobile, Ala., to points in Mississippi, Louisiana, Texas, Kansas, Missouri (except St. Louis and points in its commercial zone), South Dakota, Minnesota, Iowa, Nebraska, and North Dakota, restricted to traffic originating at Mobile, Ala. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 117765 (Sub-No. 77), filed March 28, 1969. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth, Post Office Box 75267, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, carpet remnants and padding*, from Atoka, Okla., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Tennessee, Texas, Utah, Wisconsin, and Wyoming. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 117815 (Sub-No. 144), filed March 24, 1969. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa 50317. 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: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsites and/or warehouse facilities of John Morrell & Co., located at or near Estherville and Ottumwa, Iowa, to points in Illinois, Indiana, Kansas, Minnesota, Missouri, and Nebraska, restricted to traffic originating at the specified plantsites and warehouse facilities and destined to the named States. **NOTE:** If a

hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 117883 (Sub-No. 120), filed March 27, 1969. Applicant: SUBLER TRANSFER, INC., 791 East Main Street, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler, Post Office Box 62, Versailles, Ohio 45380. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Carnivorous animal food*, not for human consumption, nor for medicinal purposes, from points in Illinois, Indiana, Ohio, and Wisconsin, to points in Illinois, Indiana, Massachusetts, New York, Maryland, New Jersey, Ohio, Pennsylvania, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 117883 (Sub-No. 121), filed April 3, 1969. Applicant: SUBLER TRANSFER, INC., 791 East Main Street, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler, Post Office Box 62, Versailles, Ohio 45380 and Jack Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses* as described in sections A, B, and C of appendix I of the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and/or warehouse facilities of John Morrell & Co. located at or near Estherville and Ottumwa, Iowa, and Sioux Falls and Madison, S. Dak., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. **Restriction:** Restricted to traffic originating at the plantsites, and/or warehouse facilities of John Morrell & Co. at or near points named above and destined to the named territory. **NOTE:** Applicant states Sub 118 filed by it on December 30, 1968, and not yet set for hearing, duplicates the instant application to the extent of *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in appendix A and C of appendix I of the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766. However, Shipper John Morrell has requested a new application be filed which includes *Dairy products* and several additional origins. When this application is published in the FEDERAL REGISTER, applicant states it is its intention to request that the Sub 118 proceeding be dismissed since it is completely embraced in the instant application. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118631 (Sub-No. 4) (Correction), filed February 26, 1969, published



in FEDERAL REGISTER issue of March 20, 1969, corrected March 27, 1969, and republished, as corrected this issue. Applicant: EPHREM BOUCHARD, Mackay Street, Milton, Vt. 05468. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemical fertilizers, materials, and mixtures*, from ports of entry on the international boundary line between the United States and Canada, located in the counties of Franklin and Orleans in Vermont, and Franklin and Clinton in New York, to points in Franklin, Orleans, Caledonia, Grand Isle, Windsor, Crittenden, Lamoille, Washington, Addison, and Orange Counties, Vt.; Coos, Grafton, Carroll, and Sullivan Counties, N.H.; and Essex, Clinton, Franklin, St. Lawrence, Jefferson, and Lewis Counties, N.Y., under contract with Brockville Chemical, Inc. NOTE: The purpose of this republication is to show applicant as *contract carrier*, in lieu of *common carrier*, as inadvertently shown in previous publication. If a hearing is deemed necessary, applicant requests it be held at Montpelier, or Burlington, Vt., or Plattsburgh, N.Y.

No. MC 118904 (Sub-No. 7), filed April 2, 1969. Applicant: LONNIE WOOD TRUCKAWAY, LTD., a corporation, 1915 F Avenue, Lawton, Okla. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be equipped with hitchball connectors, and (2) *buildings*, complete, knocked down or in sections, when transported on wheeled undercarriages, from Shawnee, Okla., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Dallas, Tex., or Tulsa, Okla.

No. MC 118989 (Sub-No. 25) (Correction), filed February 28, 1969, published in FEDERAL REGISTER issue of March 20, 1969, corrected April 7, 1969, and republished as corrected this issue. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53211. 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 ends and accessories, and materials and supplies* used in connection with the manufacture and distribution of metal containers and container ends when moving with metal containers and container ends, from the plantsite and/or facilities of National Can Corp., at Chicago and Rockford, Ill.; Green Bay, Wis.; Detroit, Mich.; Minneapolis, Minn.; and Cleveland, Marion, and Hamilton, Ohio, to points in Minnesota, Wisconsin, Iowa, Missouri, Illinois, Indiana, Kentucky, Ohio, West Virginia, Kansas, Nebraska, North Dakota, South Dakota, Texas,

Colorado, Louisiana, and Michigan. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. The purpose of this republication is to show correct address for applicant as Milwaukee, Wis., in lieu of Chicago, Ill., as erroneously published in previous publication. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119531 (Sub-No. 112), filed March 24, 1969. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, metal container covers, and materials, equipment and supplies* used in the manufacture, sale, and distribution of metal containers and metal and metal container covers, between Elwood, Ind., on the one hand, and, on the other, points in Illinois, Kentucky, Michigan, and Ohio. NOTE: Applicant indicates tacking possibilities with its Sub 21, at Chicago, Ill., to serve points in Wisconsin, and with its pending Sub 72, at Cleveland, Ohio, to serve points in New York and Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119531 (Sub-No. 114), filed April 1, 1969. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal and plastic containers, container components and ends, supplies* used in the manufacture and distribution of metal and plastic containers that move with metal and plastic containers, and aluminum, plastic, steel, and tin tops and enclosures, from points in Cook and Kane Counties, Ill.; Danville and Peoria, Ill.; Elwood, Ind.; Mankato, Minn.; St. Louis, Mo.; and Milwaukee and Racine, Wis., to Omaha, Nebr., and points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: Applicant states that possible tacking exists at Massillon, Ohio, on metal and plastic containers to points in New York and Pennsylvania, under Docket No. MC 119531 Sub 28. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119641 (Sub-No. 79), filed April 2, 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: *Tractors* (except tractors with vehicle beds, bed frames, or fifth wheels), *agricultural machinery and implements, industrial and construction machinery and equipment, snowmobiles, equipment designed for use in*

*connection with tractors, trailers designed for the transportation of the commodities described above* (except trailers designed to be drawn by passenger automobiles), *attachments for the commodities described above, internal combustion engines, and parts and accessories* of the commodities described herein above when moving in mixed loads with such commodities; (1) from ports of entry on the international boundary line between the United States and Canada at Detroit and Port Huron, Mich., and Buffalo and Niagara Falls, N.Y., to points in the United States (except Alaska and Hawaii), restricted to shipments originating at the plant and warehouse sites and experimental farms of Massey-Ferguson Industries, Ltd., at Toronto, Brantford, and Milliken, Ontario; and (2) from Des Moines, Iowa; Clearfield, Utah; Detroit, Mich.; Algoma and Kaukauna, Wis.; and Cuyahoga Falls, Ohio, to points in the United States (except Alaska and Hawaii), restricted to shipments originating at the plant and warehouse sites and experimental farms of Massey-Ferguson, Inc., its affiliates and subsidiaries. NOTE: Applicant holds existing authority in MC 119641 (Sub 64) to transport the involved commodities (except snowmobiles), from all origins specified in (2) above except Algoma and Kaukauna, Wis., and Cuyahoga Falls, Ohio, to the territory requested. No duplicating authority is sought herein. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119741 (Sub-No. 29), filed April 3, 1969. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., Post Office Box 1235, 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: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in appendix I, sections A and C to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and hides), from the plantsite and storage facilities of Iowa Beef Packers, Inc., at or near Emporia, Kans., to points in Missouri, Nebraska, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Ohio, and Michigan, restricted to traffic originating at said plantsite and storage facilities. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 119895 (Sub-No. 19), filed March 31, 1969. Applicant: INTERCITY EXPRESS, INC., Post Office Box 1055, Fort Dodge, Iowa 50501. 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: *Meats, meat products, meat byproducts, dairy*



products, and articles distributed by meat packinghouses, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles); (1) from the plantsites and/or warehouse facilities of John Morrell & Co., at or near Estherville and Ottumwa, Iowa, to points in Illinois, Indiana, Kansas, Minnesota, Missouri, Nebraska, and South Dakota; and (2) from the plantsites and/or warehouse facilities of John Morrell & Co., at or near Madison and Sioux Falls, S. Dak., to points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, and Nebraska. Restrictions: The proposed operations to be restricted to traffic originating at the named plantsites and/or warehouse facilities and destined to the named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 123048 (Sub-No. 151), filed April 1, 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: Tractors (except tractors with vehicle beds, bed frames, or fifth wheels, agricultural machinery and implements, industrial and construction machinery and equipment, snowmobiles, equipment designed for use in connection with tractors, trailers designed for the transportation of the commodities described above (except trailers designed to be drawn by passenger automobiles), attachments for the commodities described above, internal combustion engines, and parts and accessories of the commodities described hereinabove when moving in mixed loads with such commodities; (1) from ports of entry on the international boundary between the United States and Canada at Detroit and Port Huron, Mich., and Buffalo and Niagara Falls, N.Y., to points in the United States (except Alaska and Hawaii), restricted to shipments originating at the plant and warehouse sites and experimental farm of Massey-Ferguson Industries, Ltd., at Toronto, Brantford, and Milliken, Ontario; and (2) from Des Moines, Iowa; Clearfield, Utah; Detroit, Mich.; Algoma and Kaukauna, Wis.; and Cuyahoga Falls, Ohio; to points in the United States (except Alaska and Hawaii), restricted to shipments originating at the plant and warehouse sites and experimental farms of Massey-Ferguson, Inc., its affiliates and subsidiaries. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 123061 (Sub-No. 48), filed April 4, 1969. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah. Applicant's representative: Harry G. Pugsley, 400 El Paso Gas Building, Salt Lake City, Utah 84111.

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Feed and feed ingredients, between points in Idaho, Oregon, Washington, and Nevada. NOTE: Applicant states it intends to tack with its authority in MC 123061 Sub 41 in Idaho to serve points in Utah. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 123407 (Sub-No. 50), filed March 26, 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 Natchez, Miss., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Memphis, Tenn.

No. MC 124045 (Sub-No. 3), filed April 1, 1969. Applicant: RAYMOND G. WISHARD, doing business as WISHARD TRUCKING, Route 5, Chambersburg, Pa. 17201. Applicant's representative: C. F. Germelman, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cullet, between points in Delaware, Illinois (except Chicago and 50-mile radius thereof), Indiana, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124078 (Sub-No. 373), filed March 23, 1969. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski, 611 South 28th Street, Milwaukee, Wis. 53246. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Barium carbonate and barium chloride, in bulk, from Cartersville, Ga., to points in Alabama, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 124078 (Sub-No. 375), filed March 27, 1969. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a common

carrier, by motor vehicle, over irregular routes, transporting: Processed clay, in bulk, in tank or hopper type vehicles, from the plantsite of Houdry Process & Chemicals Co., Division of Air Products & Chemicals, Inc., at Paulsboro, N.J., to points in Delaware, Michigan, Ohio, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124078 (Sub-No. 376), filed April 1, 1969. Applicant: SCHWERMANN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals, in bulk, from Memphis, Tenn., and West Memphis, Ark., to points in Alabama, Arkansas, Georgia, Illinois, Kentucky, Louisiana, Mississippi, New Jersey, Tennessee, and Texas. NOTE: Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 124241 (Sub-No. 5), filed April 1, 1969. Applicant: REX WELLS AND RAY WELLS, a partnership, doing business as WELLS BROTHERS TRUCKING, 584 Sparks, Post Office Box 482, Twin Falls, Idaho 83301. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, Idaho 83701. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products and meat byproducts, as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles, from Buhl, Idaho, to points in Washington, Illinois, Iowa, Minnesota, and Wisconsin, under contract with Carter Packing Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 124692 (Sub-No. 60), filed March 20, 1969. Applicant: SAMMONS TRUCKING, Post Office Box 933, Missoula, Mont. 59801. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel angles, bars, beams and channels, wire and wire products, post and grader blades, and cutting edges, from the plantsite of CF&I Steel Corp. at Pueblo, Colo., to points in Big Horn County, Wyo., restricted against the transportation of oilfield commodities as defined in *Mercer Extension, Oilfield Commodities*, 74 M.C.C. 459. NOTE: Applicant states it would tack at destination for service to points in Idaho, Montana, Oregon, and Washington. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124796 (Sub-No. 47), filed March 27, 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) *Buffing and polishing compounds, cleaning, scouring, and washing compounds, solvents, sponges, starch, lubricating oil, carbon gum and sludge removing compounds, and advertising materials, and rack moving with the described commodities*, from Kankakee, Ill., to Providence, R.I.; New York, N.Y.; Baltimore, Md.; Bellmawr, N.J.; and Philadelphia, Pa.; and (2) *refused, rejected, undelivered and returned shipments of the same commodities in reverse direction*. Restriction: Restricted against the transportation of commodities in bulk; limited to transportation to be performed under a continuing contract or contracts with Simoniz Co., and all traffic to originate or terminate at the plantsite or warehouse facilities of Simoniz Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125162 (Sub-No. 1), filed April 2, 1969. Applicant: CROWN TRUCK LINE, INC., 3811 Broadway, Macon, Ga. 31206. Applicant's representative: T. Baldwin Martin, 700 Home Federal Building, Macon, Ga. 31201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable, fruit, and poultry crates of all styles including wooden, cardboard, pasteboard, and plastic, and wirebound boxes and crates*, from the plant of Southern Crate and Veneer Co., in Macon, Ga., and Elberta Crate and Box Co., of Bainbridge, Ga., and Maxwell Wirebound Box Co., in Macon, Ga., to points in Florida, North Carolina, South Carolina, Tennessee, Kentucky, Indiana, Illinois, Alabama, Virginia, West Virginia, New York, Pennsylvania, Ohio, Michigan, and Mississippi. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Macon, or Atlanta, Ga.

No. MC 125403 (Sub-No. 5), filed March 20, 1969. Applicant: S. T. L. TRANSPORT, INC., 1000 Jefferson Road, Post Office Box 9776, Rochester, N.Y. 14623. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen foods and commodities in bulk), (1) from points in Ontario, Seneca, and Yates Counties, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, (2) from Oakfield, N.Y., to points in Maine, New Hampshire, Rhode Island, and Vermont (except canned and preserved foodstuffs, from points in Monroe and Wayne Counties, N.Y., to points in Maine, New Hampshire, Rhode Island, and Vermont).

**NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Rochester, Buffalo, or Syracuse, N.Y.

No. MC 125708 (Sub-No. 112), filed March 21, 1969. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. 62087. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain products, dry, in containers*, from Hastings, Minn., and Superior, Wis., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and Wisconsin. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Minneapolis, Minn.

No. MC 125550 (Sub-No. 7), filed March 21, 1969. Applicant: THE HELLER COMPANY, a corporation, 200 Chestnut Avenue, Altoona, Pa. 16603. 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: *Electrical fixtures, metal housewares, and houseware products, and metal utility buildings*, knocked down, from the plantsite of Stanley Electric Manufacturing Co. at Altoona, Pa., to points in New Jersey, Delaware, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and Maine, and *materials used in the manufacture of the above-specified commodities*, on return, under continuing contract with Stanley Electric Manufacturing Co., Altoona, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 126305 (Sub-No. 15), filed March 27, 1969. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., Route No. 1, Clayton, Ala. 36016. Applicant's representative: Carl Ross, Jr., Suite 1125-1128, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pipe and fittings, cast iron meter boxes and parts, manhole frames and covers, and culverts* (except commodities which because of size, shape, or weight require the use of special equipment or handling), from the plantsites of Alabama Pipe Co. and Anniston Foundry at Anniston, Ala., and Coosa Foundry of Alabama Pipe Co. at Gadsden, Ala., to points in Maine, Delaware, Maryland, and the District of Columbia. **NOTE:** Applicant states it does not intend to tack and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 126305 (Sub-No. 16), filed April 4, 1969. Applicant: BOYD BROTHERS

TRANSPORTATION CO., INC., Route No. 1, Clayton, Ala. 36016. Applicant's representative: Carl Ross, Jr., Suite 1125-1128, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pipe and fittings, cast iron meter boxes and parts, manhole frames and covers, and culverts* (except commodities which because of size, shape, or weight require the use of special equipment or handling), from the plantsites of Alabama Pipe Co. and Anniston Foundry at Anniston, Ala., and Coosa Foundry of Alabama Pipe Co. at Gadsden, Ala., to points in Vermont, New Jersey, New York, Pennsylvania, Massachusetts, Connecticut, Rhode Island, and New Hampshire. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 126367 (Sub-No. 7), filed April 4, 1969. Applicant: EVERGREEN TRUCKING COMPANY, a corporation, Box 39, Jewell, Oreg. 97126. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Peeler Cores*, from points in Flathead, Lake, Lincoln, Mineral, and Sanders Counties, Mont., and points in Kittitas and Okanogan Counties, Wash., to points in Bonner County, Idaho. **NOTE:** Applicant states it does not intend to tack and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 127042 (Sub-No. 32), filed March 19, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat byproducts, meat products, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles); (1) from the plantsite and/or warehouse facilities utilized by John Morrell & Co. located at or near Estherville, Iowa, to points in Illinois, Indiana, Kansas, Minnesota, Missouri, Nebraska, and South Dakota; (2) from the plantsite and/or warehouse facilities utilized by John Morrell & Co. located at or near Ottumwa, Iowa, to points in Illinois, Indiana, Kansas, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin; (3) from the plantsite and/or warehouse facilities utilized by John Morrell & Co. located at or near Sioux Falls and Madison, S. Dak., to points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin; and (4) from the plantsite and/or warehouse



facilities utilized by Greenlee Packing Co., at or near Sioux Falls, S. Dak., to points in Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin. Restriction: Restricted to traffic originating at the plantsites and/or warehouse facilities utilized by John Morrell & Co. located at or near Estherville and Ottumwa, Iowa; Madison and Sioux Falls, S. Dak.; and destined to the respective States named in parts (1) through (3). Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., Omaha, Nebr., or Chicago, Ill.

No. MC 127042 (Sub-No. 34), filed April 2, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Iowa Beef Packers, Inc., at or near Emporia, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan, North Dakota, and South Dakota, restricted to traffic originating at said plantsite and storage facilities. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., Minneapolis, Minn., or Kansas City, Mo.

No. MC 127812 (Sub-No. 4), filed April 6, 1969. Applicant: TYSON TRUCK LINES, INC., 185 Fifth Avenue SW., New Brighton, Minn. 55112. Applicant's representative: Michael E. Miller, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses* (except hides and commodities in bulk), from the plant and warehouse sites of Swift & Co. located in South St. Paul, Minn., to Superior, Wis. Note: Applicant states it does not intend to tack and apparently is willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128058 (Sub-No. 6), filed March 21, 1969. Applicant: LAUREL HILL TRUCKING COMPANY, a corporation, 614 New County Road, Secaucus, N.J. 07094. 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* (ex-

cept in bulk), between Kansas City, Mo.; Wichita, Kans.; Tulsa and Oklahoma City, Okla.; Amarillo, Tex.; Albuquerque, N. Mex.; Tucson and Phoenix, Ariz.; Las Vegas, Nev.; Los Angeles and San Francisco, Calif.; Portland, Oreg.; Seattle, Wash.; Minneapolis and St. Paul, Minn.; and Milwaukee, Wis., restricted to the transportation of shipments having either origin or destination at a terminal of Trans-World Airlines, Inc. Note: Applicant states that the authority sought herein will be joined at any point with the authority in MC 128633 (Sub-No. 3), when it is converted into a certificate. Applicant holds contract carrier authority under MC 128633, and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 128273 (Sub-No. 42), filed April 4, 1969. Applicant: MIDWESTERN EXPRESS, INC., Post Office Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products, products produced or distributed by manufacturers and converters of paper and paper products; and materials and supplies used in the manufacture and distribution of the foregoing commodities* (except commodities in bulk, and commodities which, because of size or weight, require the use of special equipment): (1) between points in Portage and Wood County, Wis., on the one hand, and, on the other, points in Arizona, Colorado, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming; and (2) between points in Little River County, Ark., on the one hand, and, on the other, points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 128279 (Sub-No. 8), filed April 7, 1969. Applicant: ARROW FREIGHTWAYS, INC., Post Office Box 3783, Albuquerque, N. Mex. 87110. 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: *Specialty designed trailers*, from Denver, Colo., to Los Alamos, N. Mex. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Albuquerque, or Santa Fe, N. Mex., or Denver, Colo.

No. MC 129032 (Sub-No. 3), filed March 17, 1969. Applicant: TOM INMAN TRUCKING, INC., 6015 South 59th West Avenue, Post Office Box 7608, Tulsa,

Okla. 74107. Applicant's representative: Lewis C. Johnson, 500 West Seventh Street, Tulsa, Okla. 74119. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products, products produced and distributed by manufacturers and converters of paper and paper products, and materials and supplies used in the manufacture and distributions of the foregoing commodities* (except commodities in bulk, and commodities which, because of size or weight, require the use of special equipment), (1) between points in Little River County, Ark., on the one hand, and, on the other, points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming; and (2) between points in Portage and Wood Counties, Wis., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Texarkana, Ark.

No. MC 129086 (Sub-No. 7), filed March 13, 1969. Applicant: SPENCER TRUCKING CORPORATION, Route 2, Post Office Box 254 A, Keyser, W. Va. Applicant's representative: Charles E. Creager, Post Office Box 3582, Baltimore, Md. 21214. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Stone, gravel, crushed stone, pug mill fine, lime, limestone, sand, asphalt, and black top* (in bulk), (1) between points in Mineral County, W. Va., on the one hand, and, on the other, points in Maryland; and (2) between points in Frederick and Washington Counties, Md., on the one hand, and, on the other, points in West Virginia. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129251 (Sub-No. 2), filed March 28, 1969. Applicant: GLENN DENHAM, Route 3, Box 368, Gulfport, Miss. Applicant's representative: Rubel L. Phillips, 717 Deposit Guaranty Bank Building, Post Office Box 22628, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Automobiles, pickup trucks, panel trucks and jeeps*, from Gulfport, Miss., to points in Alabama, Arkansas, Louisiana, Mississippi, Missouri, Georgia, Florida, Tennessee, and Texas. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or New Orleans, La.

No. MC 129413 (Sub-No. 5), filed April 2, 1969. Applicant: C. B. TRANSPORTATION, INC., 1400 Grand Avenue, Post Office Box 3072, Sioux City,



Iowa 51102. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, (1) from the plantsites and storage facilities of Central Farmers Fertilizer Co., at or near Marshalltown, Iowa, to points in Illinois, Iowa, Missouri, Minnesota, and Wisconsin, and (2) from the plantsites and storage facilities of Central Farmers Fertilizer Co., at or near Spencer, Iowa, to points in Iowa, Minnesota, North Dakota, Nebraska, South Dakota, and Wisconsin. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 133009 (Sub-No. 2), filed March 23, 1969. Applicant: MOORE TRUCKING, INC., Rural Delivery No. 1, Bath, Pa. 18014. Applicant's representative: Kenneth R. Davis, 1106 Dartmouth Street, Scranton, Pa. 18504. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Crushed stone* in bulk, from Martins Creek, Pa., to points in Middlesex and Monmouth Counties, N.J., and (2) *sand*, in bulk, from East Brunswick, N.J., to points in Northampton County, Pa. Note: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 133115 (Sub-No. 2), filed April 3, 1969. Applicant: ELVIS SCHREMP, HUBERT J. SCHREMP, HOWARD SCHREMP AND GLENNON SCHREMP, a partnership, doing business as SCHREMP BROS., McBride, Mo. 63776. Applicant's representative: Elvis Schremp (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Expanded plastic products laminated with wood, aluminum, or fibre-glass*, from the plantsite of Pennington & Sons, Inc., McBride, Mo., to points in Kansas, Nebraska, Iowa, Oklahoma, Colorado, South Dakota, North Dakota, Minnesota, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, Delaware, Alabama, Texas, Kentucky, Tennessee, New Mexico, Arizona, Arkansas, and California and *damaged or rejected shipment* on return under contract with Pennington & Sons, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis or Jefferson City, Mo.

No. MC 133219 (Sub-No. 4), filed April 3, 1969. Applicant: PARKS TRANSPORT, INC., Ashland, Nebr. 68003. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible vegetable oils and blends thereof*, in bulk, in tank vehicles, from the plantsite and warehouse facilities of Archer Daniels Midland Co., located at or near Lincoln, Nebr., to points in Arkansas,

Arizona, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, Oklahoma, Oregon, North Dakota, South Dakota, Texas, Utah, Washington, and Wyoming. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 133457 (Sub-No. 1), filed March 17, 1969. Applicant: M. K. TRUCKING COMPANY, INC., Suite 201, 2900 South State Street, Salt Lake City, Utah. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials*, more particularly, *asphalt saturated roofing, nails, ground rock, both dust and granulated, saturated and unsaturated building papers, liquid asphalt coatings and allied products* in metal containers, *hard asphalt* in metal and paper containers and *hot asphalt* in bulk, from Woods Cross, Utah, to points in Utah, Idaho, Montana, Oregon, Wyoming, and Nevada, under a continuing contract with Lloyd A. Fry Roofing Co. Note: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 133496 (Sub-No. 1), filed March 19, 1969. Applicant: DIEHL LUMBER TRANSPORTATION CO., a corporation, 1756 South 6th West Street, Salt Lake City, Utah 84106. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, raw materials for use in the manufacture of building materials; lumber and lumber mill products; and prefabricated sectionalized or panelized buildings*, between points in California, Oregon, Washington, Idaho, Montana, Wyoming, Colorado, Utah, Arizona, New Mexico, and Nevada, under a continuing contract with Diehl Lumber Products, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 133507 (Sub-No. 2), filed April 2, 1969. Applicant: JERRY D. VAN ZOMEREN, Rural Route No. 3, Oskaloosa, Iowa 52577. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese scraps and trimmings*, from Fond du Lac, Wis., to Oskaloosa, Iowa, and *empty barrels* on return; and (2) *lime*, from Quincy, Ill., to Oskaloosa, Iowa. Note: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 133544, filed March 25, 1969. Applicant: CLEO KNOX, INC., 12190 West 65th Drive, Arvada, Colo. 80002. Applicant's representative: Richard A. Dudden, 121 East Second Street, Post Of-

fice Box 60, Ogallala, Nebr. 69153. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those commodities of unusual value, household goods as defined by the Commission, commodities requiring special equipment, classes A and B explosives, and meats and meat products), between points in Adams, Arapahoe, Boulder, and Jefferson Counties, Colo., on the one hand, and, on the other, Last Chance, Lindon, Anton, Cope, Joes, Kirk, and Idalia, Colo. Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 133578, filed March 17, 1969. Applicant: M. GALLAGHER AIRPORT EXPRESS, INC., 7707 Woodside Avenue, Elmhurst, N.Y. Applicant's representative: Samuel B. Zinder, Station Plaza East, Great Neck, N.Y. 11021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Baggage, and such personal property* usually carried by airline passengers, between LaGuardia and John F. Kennedy International Airports, New York, N.Y., and Newark Airport, Newark, N.J., on the one hand, and on the other, points in New York, Connecticut, Massachusetts, New Jersey, Pennsylvania, Maryland, Delaware, and the District of Columbia. Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 13381, filed March 20, 1969. Applicant: HOLDT POTATO COMPANY, INC., Rural Route 2, Red Cloud, Nebr. 68870. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, from Red Cloud, Nebr., to points in Arizona, California, and Missouri, and (2) *materials and supplies* used in the manufacture and production of dairy products on return, under contract with Don Pauly Cheese, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 133589, filed March 26, 1969. Applicant: BCT, INC., Post Office Box 200, Boise, Idaho 83701. Applicant's representative: Carl Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, corrugated boxes, fiber containers, and bags; and (2) materials, equipment and supplies* (except in bulk) used in the manufacture and distribution of paper and paper products, corrugated boxes, fiber containers, and bags, between points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.



Restriction: (a) Restricted to the transportation of traffic originating at or destined to plantsites and warehouses of Boise Cascade Corp.; and (b) restricted to traffic moving under a continuing contract or contracts with Boise Cascade Corp. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 133596 (Sub-No. 2), filed March 23, 1969. Applicant: LAWRENCE M. FAIRALL, doing business as WHITEY'S AUTOMOTIVE SERVICE, 215 Ohio Avenue, Fremont, Ohio 43420. Applicant's representative: Paul F. Berry, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Wrecked, disabled and repossessed motor vehicles, trailers and buses* (except trailers designed to be drawn by passenger automobiles), and (2) *replacement vehicles for wrecked and disabled motor vehicles and trailers* (except trailers designed to be drawn by passenger automobiles), between points in that portion of Ohio north and west of a line beginning at the Ohio-Indiana State line and extending east on U.S. Highway 224 to intersection U.S. Highways 224 and 30, thence east on U.S. Highway 30 to intersection U.S. Highways 30 and 30N, thence east on U.S. Highway 30N to intersection U.S. Highway 30N and Ohio Highway 4, thence north on Ohio Highway 4 to Sandusky, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, and Pennsylvania. Note: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 133599, filed March 24, 1969. Applicant: BIG VALLEY SUPPLY & ENTERPRISES LTD., 4150F 14A Street SE., Calgary, Province of Alberta, Canada. Applicant's representative: Earl H. Scudder, Jr., 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: *Machinery and equipment and parts and accessories thereof*, from points in the United States including Alaska, to ports of entry on the International Boundary line between the United States and Canada, restricted to export traffic destined to the Province of Alberta, under contract with Percival Machinery and Supply Co. (Calgary) Ltd., and Ferguson Supply Alberta Ltd. Note: If a hearing is deemed necessary, applicant requests it be held at Helena, Mont., or Spokane, Wash.

No. MC 133600, filed March 31, 1969. Applicant: CANYON TRANSPORTATION, INC., The 1650 Grant Street Building, Denver, Colo. 80203. Applicant's representative: Roger Sollenbarger (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of unusual value, household goods as defined by the Commission, commodities requiring special equipment and special handling, commodities contaminating or injurious to other lading

and commodities in bulk, in tank vehicles), (1) between Phoenix, Ariz., and Farmington, N. Mex.; Durango and Cortez, Colo.; (a) from Phoenix, Ariz., over Interstate Highway 17 (Arizona Highways 69 and 79) to Flagstaff, Ariz.; thence over U.S. Highway 164 to Cortez, Colo.; thence over U.S. Highway 160 to Durango, Colo.; thence over U.S. Highway 550 to Farmington, N. Mex. and return over the same route; serving all intermediate and off-route points in San Juan County, N. Mex., Montezuma and La Plata Counties, Colo., and Maricopa County, Ariz. and (b) from Phoenix, Ariz., over Interstate Highway 70 (Arizona Highways 69 and 79) to Flagstaff, Ariz.; thence over U.S. Highway 164 to junction Arizona Highway 504 (at or near Teec Nos Pos); thence over Arizona Highway 504 to junction New Mexico Highway 504 at the Arizona-New Mexico state line; thence over New Mexico Highway 504 to junction U.S. Highway 550 (at or near Shiprock, N. Mex.); thence over U.S. Highway 550 to Durango, Colo., and return over the same route; serving all intermediate and off-route points in San Juan County, N. Mex., Montezuma and La Plata Counties, Colo., and Maricopa County, Ariz. and (2) between Shiprock, N. Mex. and Cortez, Colo. from Shiprock over U.S. Highway 666 to Cortez, Colo. and return over the same route, for operating convenience only. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Farmington, N. Mex. or Phoenix, Ariz.

No. MC 133604, filed April 1, 1969. Applicant: LYNN'S POULTRY, INC., 712 South 11th Street, Oskaloosa, Iowa 52577. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, from Moravia, Iowa, to Jonesboro and Bearden, Ark. Note: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 133610 (Sub-No. 1), filed March 27, 1969. Applicant: MAURICE SHAPIRO, doing business as PROGRESS AIRLINE DELIVERY SERVICE, 43 Progress Street, Union, N.J. 07383. Applicant's representative: Herman B. J. Weckstein, 60 Park Place, Newark, N.J. 07102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Personal baggage and effects, company mail, ground equipment and automotive parts and aircraft parts*, between Newark, N.J. airport, on the one hand, and, on the other, points in Connecticut and New Jersey, and the following counties in New York: Bronx, Dutchess, Kings, Nassau, New York, Orange, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, and Westchester. Note: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J. or New York, N.Y.

No. MC 133613, filed April 1, 1969. Applicant: AXTELL TRUCKING, INC., Route 2, Box 250 D, Salem, Wis. 53168.

Applicant's representative: Richard A. Heilprin, Post Office Box 941, Madison, Wis. 53701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dirt, gravel, sand, lime and stone, materialite, slag, and garylite*, between points in Walworth, Jefferson, Waukesha, Racine, Kenosha, and Milwaukee Counties, Wis., on the one hand, and points in Boone, McHenry, Lake, Cook, DuPage, Kane, Will, Kendall and DeKalb Counties, Ill., on the other. Note: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 133614, filed April 4, 1969. Applicant: PAPPAS TRUCKING, INC., Gering, Nebr. Applicant's representative: Charles J. Kimball, 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: *Machinery used in the planting, cultivation, care, harvesting, sorting, grading, sacking, and warehousing of fruits, vegetables, and berries; seed cutters; unassembled metal boxes; street cleaners; beach cleaners; and related parts, equipment, materials and supplies used in connection with the above-described commodities*, between points in the United States (except Alaska and Hawaii), under continuing contract with Lockwood Corp. Note: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo. or Lincoln, Nebr.

No. MC 133620, filed April 3, 1969. Applicant: LAFAYETTE MOTORS, INC., 2611 Lafayette Boulevard, Norfolk, Va. 23509. Applicant's representatives: Harry J. Hicks, 211 Board of Trade Building, Norfolk, Va. 23510 and R. E. Buckner (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Motor vehicles* between Norfolk, Va., points in Maryland, Delaware, New Jersey, Pennsylvania, North Carolina, and South Carolina; under contract with Metro Auto Sales, DeVane Motor Co., City Motor Co., E. H. Lawrence Motors, and Lafayette Motors, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Norfolk, Va.

No. MC 133621, filed April 7, 1969. Applicant: FRONTIER TRANSPORTATION COMPANY, a corporation, 608 West 4th, Anchorage, Alaska 99501. Applicant's representative: J. Max Harding, 605 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials and supplies used in or in connection with the discovery, management, producing, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and their by-products; and machinery, equipment, materials, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines including*



the stringing and picking up thereof, between points in Alaska (except points in the panhandle south of Haines, Alaska). Note: If a hearing is deemed necessary, applicant requests it be held at Anchorage, Alaska.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 411) (Correction), filed March 26, 1969, published FEDERAL REGISTER issue of April 17, 1969, under MC 3647 (Sub-No. 41), and republished in part, as corrected, this issue. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. 07040. Applicant's representative: Richard Fryling (same address as applicant). This partial republication is for the purpose of reflecting the correct number as MC 3647 (Sub-No. 411), in lieu of MC 3647 (Sub-No. 41), as previously published. The rest of the application remains as previously published.

No. MC 58915 (Sub-No. 53), filed March 21, 1969. Applicant: LINCOLN TRANSIT CO., INC., First Street and Lexington Avenue, Lakewood, N.J. 08701. Applicant's representative: Robert E. Goldstein, 8 West 40th Street, New York, N.Y. 10018. 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 round trip special operations of sightseeing and pleasure tours, beginning and ending at Atlantic City, Lakewood, Freehold, and Toms River, N.J., and extending to points in the United States except New York City, N.Y., and Philadelphia, Pa. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Atlantic City or Lakewood, N.J.

No. MC 110552 (Sub-No. 1), filed April 1, 1969. Applicant: BRADBURY SPRAGUE, doing business as SPRAGUE'S, Ladd Hill, Meredith, N.H. 03253. Applicant's representative: John H. Ramsey, Meredith, N.H. 03253. 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 charter operations, beginning and ending at points in Belknap County, Holderness and Moultonboro, N.H., and the following New Hampshire highways: New Hampshire Highway 3, Tilton to Franklin; New Hampshire Highway 3A to Plymouth, New Hampshire Highway 3 to Littleton, New Hampshire Highway 302 to Conway, New Hampshire Highway 16 to Ossipee, and New Hampshire Highway 28 to Belknap County line in Alton, N.H., and extending to points in Maine, Vermont, Massachusetts, Connecticut, Rhode Island, and New York. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 133624, filed April 4, 1969. Applicant: OUTDOOR TRAVEL CAMPS, INC., 58 Perry Street, New York, N.Y.

10014. Applicant's representative: Robert E. Goldstein, 8 West 40th Street, New York, N.Y. 10018. Authority sought to operate as common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and baggage and their sporting and camping equipment* in the same vehicle or in an attached semitrailer, in personally conducted all expense, round-trip, special or charter operations limited to camping, canoeing, skiing, and personal participating sports, beginning and ending at New York, N.Y., and Killington, Vt., and extending to points in the United States (except Hawaii). Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

#### APPLICATIONS FOR BROKERAGE LICENSES

No. MC 12850 (Sub-No. 2), filed March 28, 1969. Applicant: VINCENT DI DOMENICO, doing business as DOMENICO TOURS, 395 Canal Street, New York, N.Y. 10013. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. For a license (BMC 5) to engage in operations as a broker at Bayonne, N.J., in arranging for transportation by motor vehicle, in interstate or foreign commerce, of *passengers and their baggage*, between points in the United States (except Alaska and Hawaii). Restriction: The authority sought herein shall not be severable from the authority held by applicant in license No. MC 12850 Sub 1. Note: Applicant states it now holds identical authority to operate as a broker at New York, N.Y. Applicant further states the purpose of this application is merely to permit him to open an office at Bayonne, N.J.

#### APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 106595 (Sub-No. 7), filed April 1, 1969. Applicant: MAC BOYD, doing business as BOYD TRUCKING COMPANY, 1015 East Valley Boulevard, San Gabriel, Calif. 91776. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Pumps*, (2) *pump parts*, and (3) *materials, equipment, supplies and accessories incidental and related to the repair, installation, and maintenance of pumps*, from points in Los Angeles County, Calif., to points in the United States (except Alaska and Hawaii), including ports on entry on the International Boundary line between the United States and Canada, under contract with Johnston Pump Co., FMC Corp., Hydrodynamics Division, and Layne and Bowler Pump Co. Note: Applicant states that duplication exists only as it relates to "water-well pumps" to Roosevelt County, N. Mex., and designated area of the State of Texas, which will be absorbed, if and when the instant application is granted.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-4842; Filed, Apr. 23, 1969; 8:45 a.m.]

[S.O. 1002; Car Distribution Direction 42-A]

#### SOUTHERN RAILWAY CO. AND COLUMBUS AND GREENVILLE RAILWAY CO.

#### Car Distribution

Upon further consideration of Car Distribution Direction No. 42 and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 42 be, and it is hereby vacated.

It is further ordered, That this order shall become effective at 4:30 p.m., April 18, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 18, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-4913; Filed, Apr. 23, 1969; 8:50 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 21, 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. 41616—*Freight, all kinds, from and to points in official (including Illinois) territory.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2940), for interested rail carriers. Rates on freight, all kinds, in mixed carloads, as described in the application, from, to and between points in official (including Illinois) territory, as described in the application.

Grounds for relief—Modified short-line distance formula.

Tariff—Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-751.

FSA No. 41617—*Refractory products from Mokane, Mo.* Filed by O. W. South, Jr., agent (No. A6092), for interested rail carriers. Rates on refractory products, in carloads, as described in the application, from Mokane, Mo., to points in southern territory.

Grounds for relief—Market competition, modified short-line distance formula and grouping.

Tariff—Supplement 45 to Southern Freight Association, agent, tariff ICC S-692.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-4914; Filed, Apr. 23, 1969; 8:50 a.m.]



[Notice 817]

# MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 21, 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 4405 (Sub-No. 469 TA), filed April 14, 1969. Applicant: DEALERS TRANSIT, INC., 7701 South Lawndale Avenue, Chicago, Ill. 60652. Applicant's representative: R. O. Homberger (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors, excavating and trallers, including tractor and trailer parts and attachments therefor, when moving in connection with the above named commodities, from Perry, Okla., to points in the United States (except Oklahoma and Hawaii), for 180 days.* Supporting Shipper: The Charles Machine Works, Inc., Post Office Box 66, West Ditch Witch Road, Perry, Okla. 73077. Send protests to: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 59367 (Sub-No. 66 TA), filed April 15, 1969. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa 50501. 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: *Parts of household washing machines, from Two Rivers, Wis., to Fort Dodge and Webster City, Iowa, for 90 days.* Supporting shipper: Franklin Manufacturing Co., Laundry Division, 600 Stockdale Street, Webster City, Iowa 50595. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 96165 (Sub-No. 10TA), filed April 14, 1969. Applicant: T. DEL

FARNO TRUCKING CO., 10 Ward Avenue, North Providence, R.I. 02904. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Steel piling, between Pawtucket, R.I., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, and Connecticut, for 180 days.* Supporting shipper: R. C. Stanhope, Inc., 60 East 42d Street, New York, N.Y. 11017. Send protests to: Gerald H. Curry, District Supervisor, 187 Westminster Street, Providence, R.I. 02903.

No. MC 97699 (Sub-No. 28 TA), filed April 14, 1969. Applicant: BARBER TRANSPORTATION CO., 321 Sixth Street, Rapid City, S. Dak. 57701. Applicant's representative: Leslie R. Kehl, Suite 420, Denver Club Building, Denver, Colo. 80202. 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 Marmarth, N. Dak., and Baker, Mont., from Marmarth, over U.S. Highway 12 to Baker, and return over the same route, for 180 days.* NOTE: Applicant intends to tack at Marmarth, N. Dak. with existing Sub 19. Also interline at Baker, Mont. Supporting shippers: There are approximately 25 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: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building Pierre, S. Dak. 57501.

No. MC 110380 (Sub-No. 5 TA), filed April 14, 1969. Applicant: BERSCHENS OF MADISON, INC., 241 South Segoe Road, Madison, Wis. 53705. 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: *Metal culvert pipe, guard rail, metal culvert pipe coated, and supplies and accessories incidental to the installation thereof, from Stoughton, Wis., to points in Illinois on and north of U.S. Highway 24, from the Indiana-Illinois State line to Peoria, and on and north of Illinois Highway 116 from Peoria to the Illinois-Iowa State line, and those in Indiana on and north of U.S. Highway 24, for 180 days.* Supporting shipper: Wheeling-Pittsburgh Steel Corp., Wheeling, W. Va. 26003. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 4444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 115331 (Sub-No. 269 TA), filed April 15, 1969. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131.

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer materials, in dump, conveyor, and pneumatic equipment, from Des Moines, Iowa, to points in Minnesota, Missouri, Illinois, Kansas, Nebraska, South Dakota, and Wisconsin, for 180 days.* Supporting shipper: Texas Gulf Sulphur Co., 811 Rusk Avenue, Suite 1704, Houston, Tex. 77002. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 119830 (Sub-No. 29 TA), filed April 15, 1969. Applicant: DRUM TRANSPORT INC., Box 2056, East Peoria, Ill. 61611. Applicant's representative: B. N. Drum (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors, in bulk in tank vehicles, from Detroit and Port Huron, Mich., and Buffalo and Niagara Falls, N.Y., to Menlo Park, Calif., for 180 days.* Supporting shipper: Heublein, Inc., 330 New York Avenue, Hartford, Conn. 06101. Send protests to: Raymond E. Mauk, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse, Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 123255 (Sub-No. 1 TA), filed April 14, 1969. Application: B & L MOTOR FREIGHT, INC., 140 Everett Avenue, Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper articles, from Akron, Ohio, to points in Michigan, New York, Pennsylvania, West Virginia, Massachusetts, Rhode Island, Connecticut, New Jersey, Maryland, Delaware, Virginia, Indiana, Kentucky, Tennessee, Wisconsin, Illinois, Missouri, and the District of Columbia, for 180 days.* Supporting shipper: Packaging Corporation of America, 1632 Chicago Avenue, Evanston, Ill. 60204. Send protests to: Arthur M. Culver, Jr., District Supervisor, Interstate Commerce Commission, 255 New Post Office Building, 85 Marconi Boulevard, Columbus, Ohio 43215.

No. MC 125760 (Sub-No. 3 TA), filed April 15, 1969. Applicant: GLENN W. MEANS, 1597 Pittsburgh Road, Franklin, Pa. 16323. Applicant's representative: John E. McFate, 229 Elm Street, Oil City, Pa. 16301. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dairy products from Cleveland, Ohio, to points in Erie County, Pa., for 180 days.* Supporting shipper: Allied Supermarkets, Inc., 4805 Pearl Road, Cleveland, Ohio 44109. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 127219 (Sub-No. 2 TA), filed April 14, 1969. Applicant: STEPHEN R. KEREK, doing business as: KEREK'S AIR FREIGHT SERVICE, Post Office



Box 213, Lancaster, Pa. 17601. 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: *General commodities* (except 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), having a prior or subsequent movement by air, between points in Berks County, Pa., on the one hand, and, on the other, points in Manheim Township, Lancaster County, Pa., for 180 days. Supporting shippers: Pennsylvania Cut Flower and Supply Co., 433 West Douglass Street, Reading, Pa. 19601. The "Elge" Spark Wheel Co., 120 Madison Avenue, Reading, Pa. 19601, Reading Foreign Traders, 607 Washington Street, Post Office Box 142, Reading, Pa. 19603, Mercator Corp., 607 Washington Street, Post Office Box 142, Reading, Pa. 19603, Columbia-Minerva Corp., Post Office Box 500, Robeson, Pa. 19551. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations, 508 Federal Building, Post Office Box 869, Harrisburg, Pa. 17108.

No. MC 133432 (Sub-No. 1 TA), filed April 15, 1969. Applicant: JOSEPH BERNARD FARRELL, Compton, Md. 20627. Applicant's representative: C. F. Garmelmann, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood Chips*, from points in St. Marys County, Md., to Spring Grove, Pa., under a continuing contract with Charlotte Hall Lumber Co., Inc., of Charlotte Hall (St. Marys County), Md. for 180 days. Supporting shipper: Charlotte Hall Lumber Co., Inc., Charlotte Hall, Md. 20622. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 133628 TA, filed April 14, 1969. Applicant: JOHNSON MOVING & STORAGE CO., 221 South Maplewood Drive, Rantoul, Ill. 61866. Applicant's representative: John H. Johnson (same address as above). 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 Illinois, restricted to the handling of traffic originating at or destined to points beyond the State of Illinois, for 180 days. Supporting shippers: Express Forwarding & Storage Co., Inc., 17 Battery Place, New York, N.Y.; CTI-Container Transport Inc., 17 Battery Place, New York, N.Y.; Smyth Worldwide Movers, Inc., 11616 Aurora Avenue North, Seattle, Wash.; Davidson Forwarding Co., 3180 V Street NE., Washington, D.C. Send protests to: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 133630 TA, filed April 15, 1969. Applicant: LEO KING, doing business as LEO KING TRUCKING SERVICE, Hubert Street, Ashkum, Ill. 60911. Applicant's representative: Charles R. Young, 4 West Seminary Street, Danville, Ill. 61832. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer* in bags or bulk, from Ashkum, Ill., to points in that part of Indiana lying on and north of Indiana Highway 28, for 180 days. Supporting shippers: Occidental Chemical Co., Post Office Box 38, Ashkum, Ill. 60911. Send protests to: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 133631 TA, filed April 15, 1969. Applicant: AAA DELIVERY SYSTEMS, INC., Box 1148, Flint, Mich. 48501. Applicant's representative: Walter N. Biene-man, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paint and paint test samples, color panels, and communication media* (orders, reports, business forms, memorandum, etc.) under contract with E. I. du Pont de Nemours Co.: (1) between Toledo, Ohio, on the one hand, and, on the other, Detroit, Pontiac, and Flint, Mich.; (2) between Flint, Mich., on the one hand, and, on the other, Detroit, Mich., and Toledo, Ohio. Restriction: Service shall be restricted to the delivery of no more than 500 pounds to any one destination at one time, for 180 days. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., Wilmington, Del. 19898. Send protests to: District Supervisor Gerald J. Davis, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, Detroit, Mich. 48226.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-4915; Filed, Apr. 23, 1969;  
8:50 a.m.]

[Notice 332]

### MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 21, 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. F.D. 25398. By order of April 15, 1969, the Motor Carrier Board approved the transfer to S.C.N.O., Inc., Chicago, Ill., of the fifth amended certificate in No. W-431, issued February 25, 1969, to Sioux City and New Orleans Barge Lines, Inc.; Clayton, Mo.; authorizing the transportation of commodities generally between points along the Missouri River, on the one hand, and, on the other, points along the Illinois Waterway, the Ohio River, the Allegheny River, the Monongahela River, the Mississippi River, and certain other operations as more specifically set forth in said certificate, Edward K. Wheeler, 704 Southern Building, Washington, D.C. 20005, and Gerald Ratner, 300 West Washington Street, Chicago, Ill. 60606, attorneys for applicants.

No. MC-FC-71205. By order of April 15, 1969, the Motor Carrier Board approved the transfer to Hribar Trucking, Inc., Caledonia, Wis., of the operating rights in certificate No. MC-127856 issued May 9, 1967, to Jack Bloss Trucking, Inc., Salem, Wis., authorizing the transportation of sand, gravel, stone, crushed stone, cinders, and dirt, in dump vehicles, between points in Lake, McHenry, and Boone Counties, Ill., on the one hand, and, on the other, points in Racine, Kenosha, and Walworth Counties, Wis., Frank M. Coyne, 1 West Main Street, Madison, Wis., 53703, attorney for applicants.

No. MC-FC-71251. By order of April 14, 1969, the Motor Carrier Board approved the transfer to Franklin W. Powell, Fryeburg, Maine, certificate of registration No. MC-97662 (Sub-No. 1), issued January 7, 1966, to Charles H. Swan, doing business as Swan's Express, Fryeburg, Maine, evidencing a right to engage in interstate or foreign commerce in Maine. David R. Hastings, 8 Portland Street, Fryeburg, Maine 04037, attorney for applicants.

No. MC-FC-71261. By order of April 14, 1969, the Motor Carrier Board approved the transfer to Robert J. Erickson, doing business as Bob Erickson Trucking, Rush City, Minn., of the operating rights in permit No. MC-128490 issued August 25, 1967, to Gerald C. Shelby, doing business as Shelby Trucking, Deer Park, Wis., authorizing the transportation of materials and supplies used in the manufacture and sale of ice cream, ice milk, and products derived therefrom, from Stillwater, St. Paul, and Minneapolis, Minn., to Esterville, Iowa, and points in North Dakota, South Dakota, Montana, and Minnesota, under a continuing contract with Regal Services, Inc., of Minneapolis, Minn. Robert E. Swanson, Registered Practitioner, 1211 South Sixth Street, Stillwater, Minn. 55082, representative for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-4916; Filed, Apr. 23, 1969;  
8:50 a.m.]



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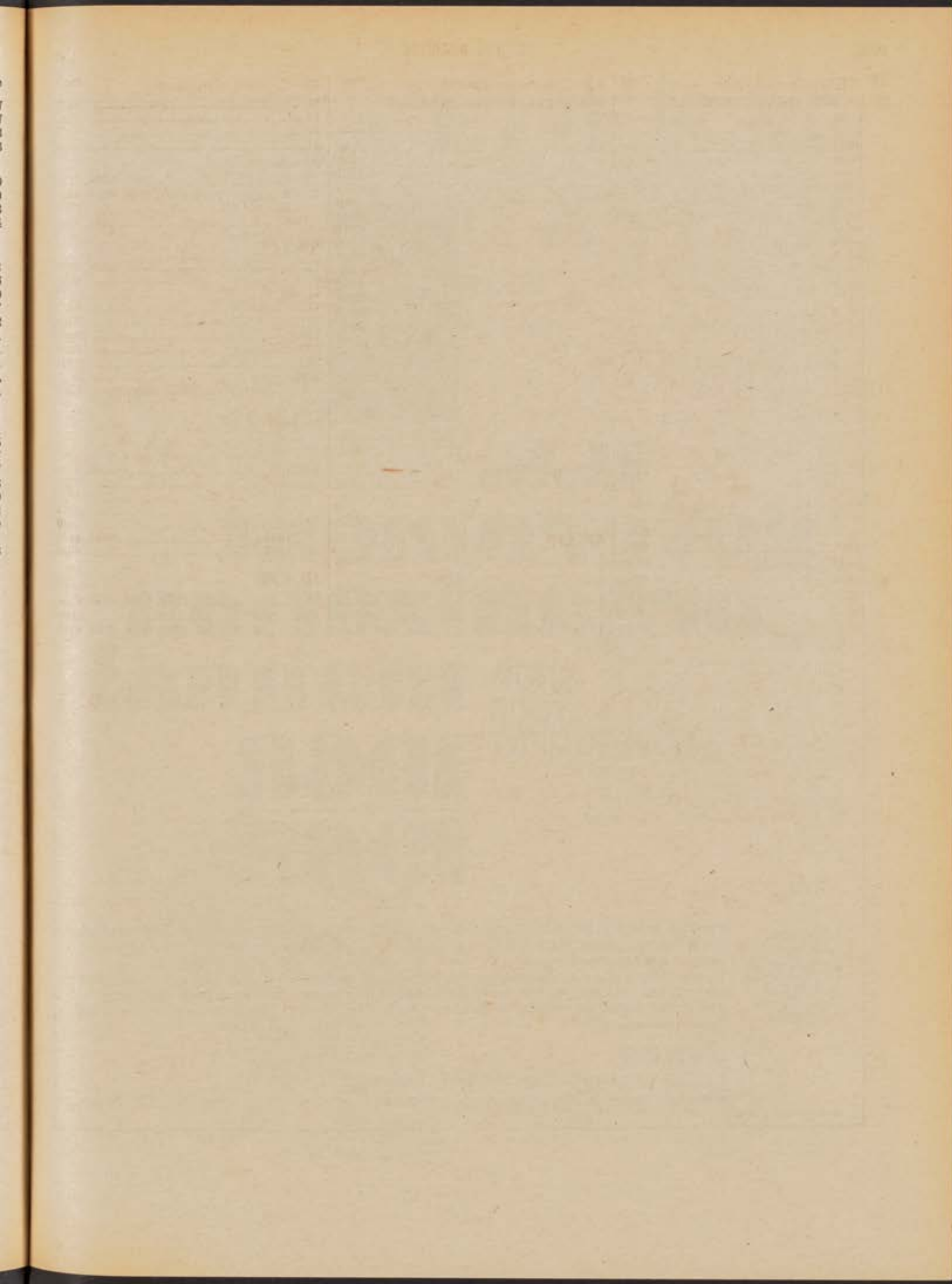
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