

# FEDERAL REGISTER

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## Agencies in this issue—

Agricultural Research Service  
Agricultural Stabilization and  
Conservation Service  
Atomic Energy Commission  
Business and Defense Services  
Administration  
Civil Aeronautics Board  
Comptroller of the Currency  
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Just Released

## CODE OF FEDERAL REGULATIONS

(As of January 1, 1969)

Title 7—Agriculture (Parts 53–209) (Revised)-----	\$3. 00
Title 20—Employees' Benefits (Revised)-----	3. 50
Title 26—Internal Revenue (Parts 40–169) (Revised)---	2. 50

*[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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# Rules and Regulations

## Title 7—AGRICULTURE

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

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

#### PART 730—RICE

#### Subpart—1969-70 Marketing Year

##### DETERMINATION OF COUNTY NORMAL YIELDS FOR 1969 CROP

The regulations contained in § 730.1509 are issued pursuant to and in conformity with the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, section 301(b) (13), subparagraphs (D) and (F), of the Act provide definitions for county normal yields as follows:

(D) "Normal yield" for any county, in the case of rice \* \* \* shall be the average yield per acre of rice \* \* \* for the county during the 5 calendar years immediately preceding the year for which such normal yield is determined \* \* \* adjusted for abnormal weather conditions and for trends in yields. If for any such year data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations issued by the Secretary, taking into consideration the yields obtained in surrounding counties during such year and the yield in years for which data are available, shall be used as the actual yield for such year.

(F) In applying subparagraphs (D) and (E), if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, the yield for any year of such 5-year period is less than 75 per centum of the average, 75 per centum of such average shall be substituted therefor in calculating the normal yield per acre. If, on account of abnormally favorable weather conditions, the yield for any year of such 5-year period is in excess of 125 per centum of the average, 125 per centum of such average shall be substituted therefor in calculating the normal yield per acre.

Prior to the issuance of the regulations for determining county normal yields for 1969 and the determination of county normal yields thereunder, public notice (33 F.R. 15555) was given in accordance with 5 U.S.C. 553. No data, views, or recommendations pertaining thereto were submitted pursuant to such notice. Since farmers will be harvesting rice in areas prior to the date that county normal yields would ordinarily become effective (30 days after publication in the FEDERAL REGISTER), it is hereby found that the proclamations and determinations herein shall become effective upon the date of filing of this document with the Director, Office of the Federal Register.

Section 730.1509 is issued to provide the regulations for determining county

normal yields and to proclaim the yields for the 1969 crop of rice determined thereunder.

§ 730.1509 County normal yield for 1969 crop rice.

(a) *Regulations.* County normal yields for 1969 crop rice shall be determined by computing the average yield per harvested acre of rice for each county producing rice during the years 1964 through 1968, adjusted for abnormal weather conditions and other uncontrollable natural causes and for trends in yields. Where data for any year are not available, or there was no actual yield, an appraised yield for such year shall be determined on the basis of the yields obtained in surrounding counties during such year and the yield in years for which data are available. Adjustments for abnormal weather conditions and other uncontrollable natural causes shall be as follows: For any annual yield, including an appraised yield, which is less than 75 per centum of the 5-year (1964-68) average yield, 75 per centum of such average shall be substituted therefor; and for any annual yield, including an appraised yield, which is in excess of 125 per centum of the 5-year (1964-68) average yield, 125 per centum of such average shall be substituted therefor. The adjustment for trends in yields shall be made by adopting as the county normal yield the simple average of (1) the 1964-68 average yield per harvested acre of rice for the county, adjusted for abnormal weather conditions and other uncontrollable natural causes as provided in the preceding sentence, and (2) the 1967-68 average yield per harvested acre of rice for the county, similarly adjusted, except that no trend adjustment shall be made unless the 2-year adjusted average is higher than the 5-year adjusted average. Notwithstanding the adjustments as indicated above, no county normal yield shall be less than the unadjusted 5-year (1964-68) average yield.

(b) *Statistical data.* Section 301(c) of the Agricultural Adjustment Act of 1938, as amended, provides that "the latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this act." In accordance therewith, the annual yields of rice for counties in the States of Arkansas, California, Louisiana, Mississippi, Missouri, and Texas used in the determination of county normal yields in this section shall be the latest official yields determined by the Statistical Reporting Service of the Department, on the basis of its estimate of harvested acres and production of rice in applicable counties of those States during each of the years 1964 through 1968, except that if such a yield for any year is not available, an appraised yield shall

be used for such year. In the minor rice-producing States of Florida, Illinois, North Carolina, Oklahoma, South Carolina, and Tennessee where no official estimates of rice yields were available, the annual rice yields for the years 1964 through 1968 used in determining the county normal yields in this section for the applicable counties in these States shall be those obtained by special surveys covering all farms producing rice in any of the calendar years 1964 through 1968.

(c) *Proclamation of county normal yields.* County normal yields for 1969 crop rice, determined in accordance with paragraphs (a) and (b) of this section, are as follows:

#### 1969 COUNTY NORMAL RICE YIELDS

ARKANSAS			
County	Normal yield per harvested acre (Pounds)	County	Normal yield per harvested acre (Pounds)
Arkansas	4,513	Lafayette	3,466
Ashley	4,370	Lawrence	4,489
Chicot	4,217	Lee	4,173
Clark	3,660	Lincoln	4,476
Clay	4,398	Little River	4,224
Conway	4,098	Lonoke	4,464
Craighead	4,598	Miller	3,560
Crittenden	4,049	Mississippi	4,499
Cross	4,508	Monroe	4,389
Dallas	3,667	Perry	3,988
Desha	4,329	Phillips	4,060
Draw	4,222	Polk	4,647
Faulkner	3,929	Prairie	4,428
Grant	3,180	Pulaski	4,128
Greene	4,388	Randolph	4,348
Hot Springs	3,948	St. Francis	4,131
Independence	4,288	White	4,168
Jackson	4,314	Woodruff	4,248
Jefferson	4,214	State	4,408

CALIFORNIA			
County	Normal yield per harvested acre (Pounds)	County	Normal yield per harvested acre (Pounds)
Butte	5,160	Riverside	4,100
Colusa	5,180	Sacramento	5,240
Fresno	4,400	San Joaquin	5,245
Glenn	5,355	Stanislaus	4,780
Imperial	4,000	Sutter	5,395
Kern	4,720	Tulare	4,240
Kings	2,662	Yolo	5,080
Madera	4,485	Yuba	5,020
Merced	5,245	State	5,184
Placer	4,815		

FLORIDA			
County	Normal yield per harvested acre (Pounds)	County	Normal yield per harvested acre (Pounds)
Collier	1,182	Martin	900
Hendry	2,200	Palm Beach	1,216
Hillsborough	1,200	State	1,331
Lee	1,182		

ILLINOIS			
County	Normal yield per harvested acre (Pounds)	County	Normal yield per harvested acre (Pounds)
Adams			3,000

LOUISIANA (PARISHES)			
Parish	Normal yield per harvested acre (Pounds)	Parish	Normal yield per harvested acre (Pounds)
Acadia	3,912	Cameron	3,770
Allen	3,834	Catahoula	4,410
Ascension	3,352	Concordia	3,783
Assumption	2,800	East Carroll	3,940
Avoyelles	3,710	Evangeline	3,990
Beauregard	3,150	Franklin	3,948
Bossier	3,000	Grant	3,780
Calcasieu	3,322	Iberia	3,378



## LOUISIANA (PARISHES)—continued

County	Normal yield per harvested acre (Pounds)	County	Normal yield per harvested acre (Pounds)
Iberville	3,305	St. John the Baptist	3,060
Jefferson		St. Landry	3,992
Davis	3,932	St. Martin	3,546
Lafayette	3,720	St. Mary	3,007
Lafourche	1,900	St. Tammany	2,100
Madison	4,280	Tensas	4,308
Morehouse	4,835	Terrebonne	2,800
Ouachita	3,300	Vermilion	3,752
Pointe		West Baton Rouge	3,560
Coupee	3,626	West Carroll	4,024
Rapides	4,062	State	3,786
Richland	3,771		
St. Charles	2,300		
St. James	3,280		

## MISSISSIPPI

Boliver	4,152	Quitman	3,902
Coahoma	4,220	Sharkey	4,422
De Soto	3,990	Sunflower	4,354
Hancock	2,500	Tallahatchie	4,054
Humphreys	4,106	Tate	4,193
Issaquena	3,000	Tunica	3,968
Leflore	4,168	Washington	4,350
Panola	4,048	State	4,181

## MISSOURI

Butler	4,390	Pemiscot	4,546
Lewis	2,800	Ripley	4,399
Lincoln	3,268	St. Charles	4,184
Marion	4,290	Scott	4,654
Mississippi	3,100	Stoddard	4,652
New Madrid	4,538	State	4,493

## NORTH CAROLINA

Brunswick	1,080	State	1,818
Hyde	2,046		

## OKLAHOMA

McCurtain			3,184
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## SOUTH CAROLINA

Berkeley	2,473	Horry	1,500
Charleston	2,141	Jasper	2,036
Colleton	2,073	Kershaw	1,670
Georgetown	1,000	State	2,016

## TENNESSEE

Dyer	3,787	Lauderdale	4,138
Fayette	2,300	State	4,105

## TEXAS

Austin	5,120	Lavaca	5,085
Bowie	4,220	Liberty	4,380
Brazoria	4,080	Matagorda	5,014
Calhoun	4,780	Newton	3,876
Chambers	4,290	Orange	3,355
Colorado	5,260	Polk	2,800
Fort Bend	4,885	Travis	4,396
Galveston	4,095	Victoria	5,158
Hardin	3,930	Walker	2,700
Harris	4,760	Waller	4,965
Jackson	5,070	Washington	3,200
Jasper	3,540	Wharton	5,245
Jefferson	3,995	State	4,648

(Secs. 301, 375, 52 Stat. 38, as amended by 70 Stat. 212, 52 Stat. 66, as amended; 7 U.S.C. 1301, 1375)

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

Signed at Washington, D.C., on May 1, 1969.

KENNETH E. FRICK,  
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-5454; Filed, May 7, 1969; 8:45 a.m.]

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

## SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[849.2, Rev. 3, Supp. 2]

## PART 849—DOMESTIC BEET SUGAR PRODUCING AREA PREVENTED ACREAGE CREDIT; 1967 AND SUBSEQUENT CROPS

## Approved Local Areas for the 1968 Crop of Sugar Beets

Pursuant to the provisions of section 302(b) of the Sugar Act of 1948, as amended, § 849.11 is added to read as follows:

## § 849.11 Approved local areas for the 1968 crop of sugar beets.

For purposes of considering eligibility for prevented acreage credit, the respective Agricultural Stabilization and Conservation County Committees have determined with respect to the local producing areas listed herein that on 10 percent or more of the sugar beet farms in each area, or on an acreage equal to 10 percent or more of the number of acres planted to sugar beets on farms in each area, the planting of sugar beets was prevented because of drought, flood, storm, freeze, disease, or insects, or the planting or harvesting was prevented by other similar abnormal and uncontrollable conditions determined by the Deputy Administrator, State and County Operations, in accordance with § 849.2.

## (a) Arizona.

## County and areas

Graham: Area 1.  
Greenlee: Greenlee County.  
Maricopa: Area 7.

## (b) California.

## County and areas

Riverside: Riverside County.  
Sacramento: Area 1; Area 3.  
Solano: Area 1; T. 5 N., R. 3 E.; T. 7 N.; R. 1 E.  
Sutter: Area 1; Area 2.  
Yolo: Area 5; Area 6; Area 7.

## (c) Colorado.

## County and areas

Adams: Area 1; Area 2.  
Weld: Area 6; Area 7; T. 1 N., R. 65 W.; T. 3 N., R. 66 W.; T. 3 N., R. 67 W.

## (d) Michigan.

## County and areas

Sanilac: Area 1; Marlette.

## (e) Montana.

## County and areas

Carbon: Area 1.

## (f) Utah.

## County and areas

Utah: Area 1; Area 2, Community G; Community J.

## (g) Wyoming.

## County and areas

Washakie: Area 2.

## Statement of bases and considerations.

One of the conditions of eligibility of a sugar beet producer for prevented acreage credit, as provided in § 849.2 of this chapter, is that the farm of such producer be located in a local producing area for which the Agricultural Stabilization and Conservation County Committee determines that the planting or harvesting of sugar beets was adversely, seriously and generally affected by certain uncontrollable natural conditions on ten percent or more of the sugar beet farms in the area or on an acreage equal to 10 percent or more of the number of acres planted to sugar beets on farms in the area.

The purpose of this supplement is to give notice that specific local producing areas have qualified under the requirements of § 849.2 with respect to the 1968 crop of sugar beets.

(Secs. 302, 403, 61 Stat. 930 as amended, 932; 7 U.S.C. 1132, 1153)

Effective date: Date of publication.

Signed at Washington, D.C. on May 2, 1969.

GEORGE V. HANSEN,  
Deputy Administrator,  
State and County Operations.

[F.R. Doc. 69-5531; Filed, May 7, 1969; 8:51 a.m.]

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

[Valencia Orange Reg. 275]

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

## Limitation of Handling

## § 908.575 Valencia Orange Regulation 275.

(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 May 6, 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 May 9, 1969, through May 15, 1969, are hereby fixed as follows:

- (i) District 1: 400,000 cartons;
- (ii) District 2: 248,000 cartons;
- (iii) District 3: 152,000 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: May 7, 1969.

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

[F.R. Doc. 69-5616; Filed, May 7, 1969;  
12:04 p.m.]

[Grapefruit Reg. 62, Termination]

## PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

### Limitation of Handling

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District in Florida, effective under the applicable provisions of the Agricultural Market-

ing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Indian River Grapefruit Committee, established under the said amended marketing agreement and order, and upon other available information, which indicates that the demand for Indian River grapefruit now exceeds the supply as provided in Grapefruit Regulation 62 (34 F.R. 6965). Handlers should be afforded opportunity to take advantage of all such sales opportunity. Thus, it is hereby found that the limitation imposed by Grapefruit Regulation 62 should be removed.

(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 time of this termination action 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 action is based became available and the time when this action must become effective is insufficient, and this action relieves restrictions on the handling of grapefruit grown in the Indian River District in Florida.

It is therefore, ordered That Grapefruit Regulation 62 (§ 912.362, 34 F.R. 6965) is hereby terminated.

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

Dated: May 2, 1969.

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

[F.R. Doc. 69-5496; Filed, May 7, 1969;  
8:48 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

#### PART 73—SCABIES IN CATTLE

##### Change in Permitted Dips

Pursuant to the provisions of sections 4 through 7 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 1 through 4 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126) § 73.10 of Part 73, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, is hereby further amended to read as follows:

##### PERMITTED DIPS

§ 73.10 Permitted dips; substances allowed.

(a) The dips at present permitted by the Department for the treatment, as required in this part, of cattle affected with or exposed to scabies, are as follows:

(1) Lime-sulphur dip, other than proprietary brands thereof, made in the proportion of 12 pounds of unslaked lime (or 16 pounds of commercial hydrated lime, not airslaked lime) and 24 pounds of flowers of sulphur or sulphur flour to 100 gallons of water; or a specifically permitted proprietary brand of lime-sulphur dip.

(2) Dips made from specifically permitted proprietary brand emulsions of toxaphene and maintained throughout the dipping operation at a concentration between 0.50 and 0.60 percent toxaphene. Animals treated by such dips should not be slaughtered for food purposes until the expiration of such period as may be required under the Federal Meat Inspection Act (21 U.S.C., Supp. III, 601 et seq.). The length of this required period shall be specified on each certificate issued by the Division Inspector who supervises the dipping with such dips.

(b) The dipping bath for lime-sulphur dip must be used at a temperature of 95° to 105° F., and must be maintained through the dipping operation at a concentration of not less than 2 percent of "sulphide sulphur", as indicated by the field test for lime-sulphur dipping baths approved by the Division.<sup>1</sup> The dipping bath for toxaphene emulsions must be kept within a temperature range of 40°-80° F., and at a concentration between 0.50 and 0.60 percent throughout the dipping operations.<sup>2</sup>

(c) Proprietary brands of lime-sulphur or toxaphene dips may be used in official dipping only after specific permission therefor has been granted by the Director of Division.<sup>3</sup> Before a dip will be specifically approved as a permitted dip for the eradication of scabies in cattle, the Division will consider, among other things, whether the strength of the bath prepared therefrom may be satisfactorily determined in the field by a practical portable testing outfit, and, whether, under actual field conditions, the dipping of cattle in a bath of definite strength will effectually eradicate scabies infection without injury to the animals dipped.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 29 F.R. 16210, as amended; 33 F.R. 15485)

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

The foregoing amendment deletes Nicotine dip from the list of dips permitted by the Department for the

<sup>1</sup> The field test for lime-sulphur dipping baths is described in U.S. Department of Agriculture Bulletin 163, for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at 5 cents a copy.

<sup>2</sup> Care must be exercised in dipping animals and in maintaining the bath at the standard concentration. Detailed instructions will be issued for the guidance of employees who may be called upon to use them in the scabies eradication program.

<sup>3</sup> Information as to the names of such dips may be obtained from the Division or a Division Inspector.



treatment, under Division supervision, of cattle affected with or exposed to scabies. A tolerance for nicotine residue has not been established for nicotine dip under the Federal Food, Drug and Cosmetic Act and little use has been made of such dip in cattle scabies eradication programs in recent years in review of the availability of other satisfactory dips.

The amendment should be made effective promptly to remove dangers inherent in use of such dip. Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 5th day of May 1969.

R. J. ANDERSON,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 69-5529; Filed, May 7, 1969;  
8:51 a.m.]

## PART 74—SCABIES IN SHEEP

### Change in Permitted Dips

Pursuant to the provisions of sections 4 through 7 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 1 through 4 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126) § 74.25 of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, is hereby further amended to read as follows:

#### PERMITTED DIPS

§ 74.24 Permitted dips; substances allowed.

(a) The dips at present permitted by the Department for the treatment, as required in this part, of sheep affected with or exposed to scabies, are as follows:

(1) Lime-sulphur dip, other than proprietary brands thereof, made in the proportion of 8 pounds of unslaked lime (or 11 pounds of commercial hydrated lime, not airslaked lime) and 24 pounds of flowers of sulphur or sulphur flour to 100 gallons of water; or a specifically permitted proprietary brand of lime-sulphur dip.

(2) Dips made from specifically permitted proprietary brands of wettable powders containing 25 percent lindane (gamma isomer of benzene hexachloride) as the active ingredient and maintained throughout the dipping operation at a concentration between 0.05 and 0.06 percent. Animals treated with such dip should not be slaughtered for food purposes until the expiration of such period as may be required under the Federal Meat Inspection Act (21 U.S.C., Supp. III, 601 et seq.). The length of this required period shall be specified on each certificate issued by the Division or State

inspector or accredited veterinarian who supervises the dipping with such dip.

(3) Dips made from specifically permitted proprietary brand emulsions of toxaphene and maintained throughout the dipping operation at a concentration between 0.50 and 0.60 percent. Animals treated with such dip should not be slaughtered for food purposes until the expiration of such period as may be required under the Federal Meat Inspection Act (21 U.S.C., Supp. III, 601 et seq.). The length of this required period shall be specified on each certificate issued by the Division or State inspector or accredited veterinarian who supervises the dipping with such dip.

(b) The dipping bath for lime-sulphur dip must be used at a temperature of 95° to 105° F., and must be maintained at all times at a strength of not less than 1½ percent of "sulphide sulphur" as indicated by the field test for such bath approved by the Division.<sup>2</sup> The dipping bath for toxaphene emulsions must be kept within a temperature range of 40°-80° F., and at a concentration between 0.5 and 0.6 percent during dipping operations.<sup>3</sup> The dipping bath for lindane wettable powders must be constantly agitated by means of compressed air injected along the bottom and sides of the vat from a suitable air compressor that delivers sufficient air volume to cause bubbling of the vat contents along the entire length of the vat. The air compressor shall be connected by means of a hose or other satisfactory plumbing connections to a 1¼-inch pipe containing two rows of holes directed downward and outward. The holes shall be one-sixteenth inch in diameter and be spaced in 5-inch centers, and the pipe shall be situated along the center of the vat floor extending the entire length of the lowermost portion of the vat.

(c) Proprietary brands of lime-sulphur, lindane, or toxaphene dips may be used in official dipping only after specific permission therefor has been granted by the Director of Division.<sup>4</sup> Before a dip will be specifically approved as a permitted dip for the eradication of scabies in sheep, the Division will consider, among other things, whether the strength of the bath prepared therefrom may be satisfactorily determined in the field by a practical portable testing outfit, and whether, under actual field conditions, the dipping of sheep in a bath of definite strength will effectually eradicate sca-

<sup>2</sup> The field test for lime-sulphur dipping baths is described in U.S. Department of Agriculture Bulletin 163, for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at 5 cents a copy.

<sup>3</sup> Care must be exercised in dipping animals and in maintaining the bath at the standard concentration when using any permitted dip. Detailed instructions will be issued for the guidance of employees who may be called upon to use them in the scabies eradication program.

<sup>4</sup> Information as to the names of such brands may be obtained from the Division or a Division inspector.

bles infection without injury to the animals dipped.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1 and 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 29 F.R. 16210, as amended; 33 F.R. 15485)

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

The foregoing amendment deletes Nicotine dip from the list of dips permitted by the Department for the treatment, under Division supervision, of sheep affected with or exposed to scabies. A tolerance for nicotine residue has not been established for nicotine dip under the Federal Food, Drug, and Cosmetic Act and little use has been made of such dip in sheep scabies eradication programs in recent years in view of the availability of other satisfactory dips.

This amendment should be made effective promptly to remove dangers inherent in use of such dip. Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 5th day of May 1969.

R. J. ANDERSON,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 69-5530; Filed, May 7, 1969;  
8:51 a.m.]

## Title 14—AERONAUTICS AND SPACE

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

[Airspace Docket No. 69-SW-20]

## PART 73—SPECIAL USE AIRSPACE

### Revocation of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to revoke R-3805, New Orleans, La. (Alvin Callender Field), Restricted Area/Military Climb Corridor (RA/MCC).

The Department of the Air Force has informed the Federal Aviation Administration that satisfactory scramble procedures have been developed at NAS New Orleans to replace the RA/MCC procedures, and has requested that R-3805 be revoked. Such action is taken herein.

Since this amendment releases airspace to the public and benefits them thereby, notice and public procedure is unnecessary. However, since it is necessary to allow sufficient time to make the appropriate changes to aeronautical



charts, this amendment will become effective more than thirty days after publication.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 24, 1969, as hereinafter set forth.

In § 73.38 Louisiana (34 F.R. 4829), R-3805 New Orleans, La. (Alvin Callender Field) Restricted Area/Military Climb Corridor is revoked.

(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 30, 1969.

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

[F.R. Doc. 69-5491; Filed, May 7, 1969; 8:48 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

#### PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

##### Disclosure of Origin of Imported Shoes § 15.347 Disclosure of origin of imported shoes.

(a) In response to a request for an advisory opinion, the Commission ruled that it would be necessary for the requesting party to make a clear and conspicuous disclosure of the foreign country of origin of its imported shoes.

(b) Under the factual situation present in the ruling, it was assumed that the shoes were entirely of foreign manufacture and after importation they were to be sold to the general public.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: May 7, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 69-5500; Filed, May 7, 1969; 8:48 a.m.]

## Title 19—CUSTOMS DUTIES

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

[T.D. 69-116]

#### PART I—GENERAL PROVISIONS

##### Customs Field Organization

Fort Pierce, Fla., was designated a Customs station in the Customs district of Miami, Fla. (Region IV), on April 15, 1968.

Amistad Dam, Tex., was designated a Customs station in the Customs district of Laredo, Tex. (Region VI), effective April 13, 1969.

To reflect these designations, the table in § 1.3(d), Customs Regulations, is amended by adding "Miami, Fla." after "Wilmington, N.C." in the column headed "Districts," and by adding on the same line "Fort Pierce, Fla." in the column headed "Customs Stations," and "West Palm Beach" in the column headed "Port of Entry having supervision," and by adding "Amistad Dam, Tex." after "Houma, La." in the column headed "Customs Stations," for the district of "Laredo, Tex." and by adding on the same line "Del Rio," in the column headed "Port of Entry having supervision."

(80 Stat. 379, sec. 1, 37 Stat. 434; 5 U.S.C. 301, 19 U.S.C. 1)

[SEAL] LESTER D. JOHNSON,  
Commissioner of Customs.

Approved: April 29, 1969.

EUGENE T. ROSSIDES,  
Assistant Secretary  
of the Treasury.

[F.R. Doc. 69-5526; Filed, May 7, 1969; 8:51 a.m.]

[T.D. 69-115]

#### PART 16—LIQUIDATION OF DUTIES

##### Countervailing Duties; Sugar Content of Certain Articles From Australia

Net amount of bounty declared for the month of April 1969 for products of Australia subject to the countervailing duty order published in T.D. 54582. Section 16.24(f), Customs Regulations.

The Treasury Department is in receipt of official information that the rates of bounties or grants paid or bestowed by the Australian Government within the meaning of section 303, Tariff Act of 1930 (19 U.S.C. 1303), on the exportation during the month of April 1969, of approved fruit products and other approved products containing sugar amounts to Australian \$85.80 per 2,240 pounds of sugar content.

The net amount of bounties or grants on the above-described commodities which are manufactured or produced in Australia is hereby ascertained, determined, and declared to be Australian \$85.80 per 2,240 pounds of sugar content. Additional duties on the above-described commodities, except those commodities covered by T.D. 55716 (27 F.R. 9595), whether imported directly or indirectly from that country, equal to the net amount of the bounty shown above shall be assessed and collected.

The table in § 16.24(f) of the Customs Regulations is amended by inserting after the last line under "Australia—Sugar content of certain articles" the number of this Treasury Decision in the column headed "Treasury Decision" and the words "New rate" in the column headed "Action." The table in § 16.24(f) is further amended by deleting therefrom under "Australia—Sugar content of certain articles" the number 69-48 in the column headed "Treasury Decision" and the words "New rate" appearing

opposite such number in the column headed "Action."

(R.S. 251, secs. 303, 624, 46 Stat. 637, 759; 19 U.S.C. 66, 1303, 1624)

[SEAL] LESTER D. JOHNSON,  
Commissioner of Customs.

Approved: April 29, 1969.

EUGENE T. ROSSIDES,  
Assistant Secretary  
of the Treasury.

[F.R. Doc. 69-5525; Filed, May 7, 1969; 8:50 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER A—GENERAL

##### PART 8—COLOR ADDITIVES

##### Subpart C—Listing of Color Additives for Food Use Subject to Certification

##### Subpart E—Listing of Color Additives for Drug Use Subject to Certification

##### FD&C BLUE NO. 1

The Commissioner of Food and Drugs, based on a petition filed by the Certified Color Industry Committee, c/o Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va. 22046, and other relevant material, finds that FD&C Blue No. 1 (identified below) is safe for use in or on foods and drugs under the conditions prescribed in this order and that certification is necessary for the protection of the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c) (1), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c) (1), (d)) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That Part 8 be amended by adding § 8.206 to Subpart C and § 8.4021 to Subpart E, as follows:

##### § 8.206 FD&C Blue No. 1.

(a) *Identity.* (1) The color additive FD&C Blue No. 1 is principally the disodium salt of ethyl[4-(p[ethyl(m-sulfobenzyl) amino]-α-(o-sulfophenyl) benzylidene]-2,5-cyclohexadien-1-ylidene] (m-sulfobenzyl) ammonium hydroxide inner salt with smaller amounts of the isomeric disodium salts of ethyl[4-(p[ethyl(p-sulfobenzyl) amino]-α-(o-sulfophenyl) benzylidene]-2,5-cyclohexadien-1-ylidene] (p-sulfobenzyl) ammonium hydroxide inner salt and ethyl[4-(p[ethyl(o-sulfobenzyl) amino]-α-(o-sulfophenyl) benzylidene]-2,5-cyclohexadien-1-ylidene] (o-sulfobenzyl) ammonium hydroxide inner salt.

(2) Color additive mixtures for food use (including dietary supplements) made with FD&C Blue No. 1 may contain only those diluents that are suitable and that are listed in Subpart D of this part as safe for use in color additive mixtures for coloring foods.



(b) *Specifications.* FD&C Blue No. 1 shall conform to the following specifications and shall be free from impurities other than those named to the extent that such other impurities may be avoided by good manufacturing practice:

Sum of volatile matter (at 135° C.) and chlorides and sulfates (calculated as sodium salts), not more than 15.0 percent.  
Water-insoluble matter, not more than 0.2 percent.

Leuco base, not more than 5 percent.

Sum of o-, m-, and p-sulfobenzaldehydes, not more than 1.5 percent.

N-ethyl, N-(m-sulfobenzyl) sulfanilic acid, not more than 0.3 percent.

Subsidiary colors, not more than 6.0 percent.

Chromium (as Cr), not more than 50 parts per million.

Arsenic (as As), not more than 3 parts per million.

Lead (as Pb), not more than 10 parts per million.

Total color, not less than 85.0 percent.

(c) *Uses and restrictions.* FD&C Blue No. 1 may be safely used for coloring foods (including dietary supplements) generally in amounts consistent with good manufacturing practice except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act unless added color is authorized by such standards.

(d) *Labeling.* The label of the color additive and any mixtures prepared therefrom intended solely or in part for coloring purposes shall conform to the requirements of § 8.32.

(e) *Certification.* All batches of FD&C Blue No. 1 shall be certified in accordance with regulations in Subpart A of this part.

#### § 8.4021 FD&C Blue No. 1.

(a) *Identity and specifications.* (1) The color additive FD&C Blue No. 1 shall conform in identity and specifications to the requirements of § 8.206 (a) (1) and (b).

(2) Color additive mixtures for ingested drug use made with FD&C Blue No. 1 may contain only those diluents that are suitable and that are listed in Subpart F of this part as safe for use in color additive mixtures for coloring ingested drugs.

(b) *Uses and restrictions.* The color additive FD&C Blue No. 1 may be safely used for coloring ingested drugs in amounts consistent with good manufacturing practice.

(c) *Labeling.* The label of the color additive and any mixtures prepared therefrom intended solely or in part for coloring purposes shall conform to the requirements of § 8.32.

(d) *Certification.* All batches of FD&C Blue No. 1 shall be certified in accordance with regulations in Subpart A of this part.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto. Objections shall show

wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date: This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 706 (b), (c) (1), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c) (1), (d))

Dated: April 28, 1969.

HERBERT L. LEY, Jr.,

Commissioner of Food and Drugs.

[F.R. Doc. 69-5473; Filed, May 7, 1969; 8:46 a.m.]

## PART 8—COLOR ADDITIVES

### Subpart C—Listing of Color Additives for Food Use Subject to Certification

### Subpart E—Listing of Color Additives for Drug Use Subject to Certification

#### FD&C Red No. 3; FOR FOOD

The Commissioner of Food and Drugs, based on a petition filed by the Certified Color Industry Committee, c/o Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va. 22046, and other relevant material, finds that FD&C Red No. 3 (identified below) is safe for use in or on foods and drugs under the conditions prescribed in this order and that its certification is necessary for the protection of the public health.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c) (1), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c) (1), (d)) and under authority delegated to the Commissioner (21 CFR 2.120): It is ordered, That Part 8 be amended by adding § 8.242 to Subpart C and § 8.4102 to Subpart E, as follows:

#### § 8.242 FD&C Red No. 3.

(a) *Identity.* (1) The color additive FD&C Red No. 3 is principally the monohydrate of 9 (o-carboxyphenyl)-6-hydroxy-2,4,5,7-tetraiodo-3H-xanthen-3-one, disodium salt, with smaller amounts of lower iodinated fluoresceins.

(2) Color additive mixtures for food use made with FD&C Red No. 3 may contain only those diluents that are suitable and that are listed in Subpart D of this part as safe for use in color additive mixtures for coloring foods.

(b) *Specifications.* FD&C Red No. 3 shall conform to the following specifications and shall be free from impurities other than those named to the extent that such other impurities may be avoided by good manufacturing practice:

Volatile matter (at 135° C.) and chlorides and sulfates (calculated as the sodium salts), total not more than 13 percent.  
Water-insoluble matter, not more than 0.2 percent.

Unhalogenated intermediates, total not more than 0.1 percent.

Sodium iodide, not more than 0.4 percent.

Trilodorescein, not more than 0.2 percent.

2(2',4'-Dihydroxy-3',5'-diiodobenzoyl) benzoic acid, not more than 0.2 percent.

Monolodofluoresceins not more than 1.0 percent.

Other lower iodinated fluoresceins, not more than 9.0 percent.

Lead (as Pb), not more than 10 parts per million.

Arsenic (as As), not more than 3 parts per million.

Total color, not less than 87.0 percent.

(c) *Uses and restrictions.* FD&C Red No. 3 may be safely used for coloring foods generally (including dietary supplements) in amounts consistent with good manufacturing practices except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act unless added color is authorized by such standards.

(d) *Labeling.* The label of the color additive and any mixtures prepared therefrom intended solely or in part for coloring purposes shall conform to the requirements of § 8.32.

(e) *Certification.* All batches of FD&C Red No. 3 shall be certified in accordance with regulations in Subpart A of this part.

#### § 8.4102 FD&C Red No. 3.

(a) *Identity and specifications.* (1) The color additive FD&C Red No. 3 shall conform in identity and specifications to the requirements of § 8.242 (a) (1) and (b).

(2) Color additive mixtures for ingested drug use made with FD&C Red No. 3 may contain only those diluents that are suitable and that are listed in Subpart F of this part as safe for use in color additive mixtures for coloring ingested drugs.

(b) *Uses and restrictions.* FD&C Red No. 3 may be safely used for coloring ingested drugs in amounts consistent with good manufacturing practice.

(c) *Labeling.* The label of the color additive and any mixtures prepared therefrom intended solely or in part for coloring purposes shall conform to the requirements of § 8.32.

(d) *Certification.* All batches of FD&C Red No. 3 shall be certified in accordance with regulations in Subpart A of this part.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing



is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date: This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 706 (b), (c) (1), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c) (1), (d))

Dated: April 28, 1969.

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

[F.R. Doc. 69-5474; Filed, May 7, 1969; 8:46 a.m.]

## PART 8—COLOR ADDITIVES

### Subpart C—Listing of Color Additives for Food Use Subject to Certification

### Subpart E—Listing of Color Additives for Drug Use Subject to Certification

#### FD&C YELLOW NO. 5

In the matter of listing FD&C Yellow No. 5 for food use (§ 8.275) and drug use (§ 8.4175):

An order published in the FEDERAL REGISTER of June 15, 1966 (31 F.R. 8369), stayed the effective date of an order published February 22, 1966 (31 F.R. 3008), listing FD&C Yellow No. 5 as a safe color additive for foods and drugs. Objections were made to the quantitative limit imposed on the use of FD&C Yellow No. 5 both in foods and drugs and to certain portions of the specifications. One objector, the Certified Color Industry Committee, c/o Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va. 22046, also objected to the order because it failed to include a section listing FD&C Yellow No. 5 for topically applied drugs and cosmetics.

Consideration has been given to the objections received and the Commissioner of Food and Drugs concludes that the sections listing FD&C Yellow No. 5 for food and drug use should be amended as requested. The Commissioner also concludes that reasonable grounds have not been given for the objection to the order dealing with the listing of FD&C Yellow No. 5 for cosmetic use. In the opinion of the Food and Drug Administration the pharmacological data used to support dermal safety were and still are inadequate, as is also information about cosmetic use, and the CCIC did not state it was prepared to prove otherwise.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c) (1), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c) (1), (d)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120): It is ordered, That §§ 8.275 and 8.4175 be revised to read as follows:

#### § 8.275 FD&C Yellow No. 5.

(a) *Identity.* (1) The color additive FD&C Yellow No. 5 is 5-oxo-1-(p-sulfophenyl)-4-(p-sulfophenyl)azo-2-pyrazoline-3-carboxylic acid, trisodium salt.

(2) Color additive mixtures for food use made with FD&C Yellow No. 5 may contain only those diluents that are suitable and that are listed in Subpart D of this part as safe for use in color additive mixtures for coloring foods.

(b) *Specifications.* FD&C Yellow No. 5 shall conform to the following specifications and shall be free from impurities other than those named to the extent that such other impurities may be avoided by good manufacturing practice:

Volatile matter (at 135° C.) and chlorides and sulfates (calculated as the sodium salts), total not more than 13.0 percent. Water insoluble matter, not more than 0.2 percent.

Phenylhydrazine-p-sulfonic acid, not more than 0.1 percent.

Other uncombined intermediates, not more than 0.2 percent each.

Subsidiary dyes, not more than 1.0 percent.

Lead (as Pb), not more than 10 parts per million.

Arsenic (as As), not more than 3 parts per million.

Total color, not less than 87.0 percent.

(c) *Uses and restrictions.* FD&C Yellow No. 5 may be safely used for coloring foods (including dietary supplements) generally in amounts consistent with good manufacturing practice, except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act unless added color is authorized by such standards.

(d) *Labeling requirements.* The label of the color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom shall conform to the requirements of § 8.32.

(e) *Certification.* All batches of FD&C Yellow No. 5 shall be certified in accordance with regulations in Subpart A of this part.

#### § 8.4175 FD&C Yellow No. 5

(a) *Identity and specifications.* (1) The color additive FD&C Yellow No. 5 shall conform in identity and specifications to the requirements of § 8.275 (a) (1) and (b).

(2) Color additive mixtures for ingested drug use made with FD&C Yellow No. 5 may contain only those diluents that are suitable and that are listed in Subpart F of this part as safe for use in color additive mixtures for coloring ingested drugs.

(b) *Uses and restrictions.* FD&C Yellow No. 5 may be safely used for coloring ingested drugs generally in amounts consistent with good manufacturing practice.

(c) *Labeling requirements.* The label of the color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom shall conform to the requirements of § 8.32.

(d) *Certification.* All batches of FD&C Yellow No. 5 shall be certified in accordance with regulations in Subpart A of this part.

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

Effective date: This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 706 (b), (c) (1), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c) (1), (d))

Dated: April 28, 1969.

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

[F.R. Doc. 69-5475; Filed, May 7, 1969; 8:46 a.m.]

## SUBCHAPTER B—FOOD AND FOOD PRODUCTS

### PART 121—FOOD ADDITIVES

#### Subpart D—Food Additives Permitted in Food for Human Consumption

##### SYNTHETIC PARAFFIN AND SUCCINIC DERIVATIVES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 9A2347) filed by Petrolite Corp., Bareco Division, 6910 East 14th Street, Tulsa, Okla. 74115, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of a synthetic wax, described below, as a protective coating or component of protective coatings for certain fresh fruits and vegetables. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348(c) (1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended by adding to Subpart D the following new section:

##### § 121.1228 Synthetic paraffin and succinic derivatives.

Synthetic paraffin and succinic derivatives identified in this section may be safely used as a component of food, subject to the following restrictions:

(a) The additive is prepared with 50 percent Fischer-Tropsch process synthetic paraffin, meeting the definition and specifications of § 121.1059, and 50



percent of such synthetic paraffin to which is bonded succinic anhydride and succinic acid derivatives of isopropyl alcohol, polyethylene glycol, and polypropylene glycol. It consists of a mixture of the Fischer-Tropsch process paraffin (alkane), alkyl succinic anhydride, alkyl succinic anhydride isopropyl half ester, dialkyl succinic anhydride polyethylene glycol half ester, and dialkyl succinic anhydride polypropylene glycol half ester, where the alkane (alkyl) has a chain length of 30-70 carbon atoms and the polyethylene and polypropylene glycols have molecular weights of 600 and 260, respectively.

(b) The additive meets the following specifications: Molecular weight, 880-930; melting point, 215°-217° F.; acid number, 43-47; and saponification number, 75-78.

(c) It is used or intended for use as a protective coating or component of protective coatings for fresh grapefruit, lemons, limes, muskmelons, oranges, sweetpotatoes, and tangerines.

(d) It is used in an amount not to exceed that required to produce the intended effect.

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

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

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

Dated: April 30, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-5476; Filed, May 7, 1969;  
8:46 a.m.]

## Title 26—INTERNAL REVENUE

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

#### SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES

[T.D. 7011]

#### PART 41—EXCISE TAX ON USE OF CERTAIN HIGHWAY MOTOR VEHICLES

##### Schedule of Taxable Gross Weights

On April 8, 1969, notice of proposed rule making with respect to the amend-

ment of the Miscellaneous Excise Tax Regulations (26 CFR Part 41) under section 4482(b) of the Internal Revenue Code of 1954, relating to the schedule of taxable gross weights, was published in the FEDERAL REGISTER (34 F.R. 6244). After all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted.

RANDOLPH W. THROWER,  
Commissioner of Internal Revenue.

Approved: May 2, 1969.

EDWIN S. COHEN,  
Assistant Secretary  
of the Treasury.

In order to revise the schedule of taxable gross weights prescribed under section 4482(b) of the Internal Revenue Code, the following amendment to 26 CFR Part 41 is made:

#### EXCISE TAX ON USE OF CERTAIN HIGHWAY MOTOR VEHICLES

Section 41.4482(b)-1 is amended by revising so much of paragraph (c) as precedes the use tax schedule, and by adding a new paragraph (d), to read as follows:

##### § 41.4482(b)-1 Definition of taxable gross weight.

(c) *Schedule of taxable gross weights for periods before July 1, 1969.* The following schedule of taxable gross weights, based on the sum of the weights referred to in paragraph (a) of this section, is hereby prescribed for taxable periods beginning before July 1, 1969:

(d) *Schedule of taxable gross weights for periods after June 30, 1969.* The following schedule of taxable gross weights, based on the sum of the weights referred to in paragraph (a) of this section, is hereby prescribed for taxable periods beginning on or after July 1, 1969. Any highway motor vehicle which falls in one of the categories shown in the following schedule shall be considered, for purposes of the regulations in this part, to have the taxable gross weight assigned to such category. Any highway motor vehicle which does not fall in one of the categories shown in the following schedule shall be considered, for purposes of the regulations in this part, to have a taxable gross weight of 26,000 pounds or less.

#### USE TAX SCHEDULE

	Taxable gross weight (in pounds)
1. Single units:	
(a) 2 axled truck equipped for use as a single unit with actual unloaded weight of 13,000 pounds or more	27,000
(b) 3 axled truck equipped for use as a single unit with actual unloaded weight of 13,000 pounds or more and less than 16,000 pounds	30,000
(c) 3 axled truck equipped for use as a single unit with actual unloaded weight of 16,000 pounds or more	40,000

#### USE TAX SCHEDULE—Continued

	Taxable gross weight (in pounds)
(d) 4 axled truck equipped for use as a single unit with actual unloaded weight of less than 22,000 pounds	55,000
(e) 4 axled truck equipped for use as a single unit with actual unloaded weight of 22,000 pounds or more and less than 30,000 pounds	68,000
(f) 4 axled truck equipped for use as a single unit with actual unloaded weight of 30,000 pounds or more	80,000
(g) More than 4 axled truck equipped for use as a single unit—2.5 times actual unloaded weight.	
2. Tractor-trailer combinations:	
(h) 2 axled truck-tractor with actual unloaded weight of 5,500 pounds or more and less than 7,000 pounds	30,000
(i) 2 axled truck-tractor with actual unloaded weight of 7,000 pounds or more and less than 9,500 pounds	40,000
(j) 2 axled truck-tractor with actual unloaded weight of 9,500 pounds or more and less than 11,000 pounds	50,000
(k) 2 axled truck-tractor with actual unloaded weight of 11,000 pounds or more	60,000
(l) 3 or 4 axled truck-tractor with actual unloaded weight of less than 13,000 pounds	65,000
(m) 3 or 4 axled truck-tractor with actual unloaded weight of 13,000 pounds or more and less than 17,000 pounds	70,000
(n) 3 or 4 axled truck-tractor with actual unloaded weight of 17,000 pounds or more	74,000
(o) More than 4 axled truck-tractor—4.5 times actual unloaded weight.	
3. Truck-trailer combinations:	
(p) 2 axled truck with actual unloaded weight of 9,000 pounds or more and less than 12,000 pounds and equipped for use in combinations	40,000
(q) 2 axled truck with actual unloaded weight of 12,000 pounds or more and equipped for use in combinations	55,000
(r) 3 or 4 axled truck with actual unloaded weight of less than 14,000 pounds and equipped for use in combinations	65,000
(s) 3 or 4 axled truck with actual unloaded weight of 14,000 pounds or more and less than 19,000 pounds and equipped for use in combinations	74,000
(t) 3 or 4 axled truck with actual unloaded weight of 19,000 pounds or more and equipped for use in combinations	76,000
(u) More than 4 axled truck equipped for use in combinations—4.5 times actual unloaded weight.	
4. Buses: Actual unloaded weight of vehicle plus 150 pounds for each unit of seating capacity provided for passengers and driver.	

(Secs. 4482(b) (70 Stat. 390; 26 U.S.C. 4482(b)) and 7805 (68A Stat. 917; 26 U.S.C. 7805) of the Internal Revenue Code of 1954)

[F.R. Doc. 69-5527; Filed, May 7, 1969;  
8:51 a.m.]



# Title 32A—NATIONAL DEFENSE, APPENDIX

## Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M-11A, Direction 2, Amdt. 1, May 8, 1969]

### M-11A—COPPER AND COPPER-BASE ALLOYS

#### Domestic Refined Copper Set-Aside

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended direction, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations.

This amendment affects Direction 2 to BDSA Order M-11A, as amended February 25, 1969, by changing the reserved portion of production, as set forth in section 8 of that direction, from 16 percent to 19 percent.

Section 8 of Direction 2 to BDSA Order M-11A of February 25, 1969, is hereby amended to read as follows:

#### Sec. 8 Reserved portion of production (set-aside).

From the date of opening his books in any month for the acceptance of rated orders for domestic refined copper, each producer of domestic refined copper shall reserve at least 19 percent of his average monthly production of domestic refined copper (as defined in sec. 2(1) of this direction) for the acceptance of such rated orders calling for delivery in the immediately following month until the quantity of domestic refined copper for which he has accepted such rated orders is equal to at least the quantity thereof he is required to reserve, as indicated above; however, he need not accept such orders after the 10th day of that month even though he may not have accepted rated orders equivalent to the reserved quantity by that date: *Provided, however*, That DX rated orders must be accepted in accordance with the provisos contained in sec. 6 (2) and (5) above.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; sec. 1, Public Law 90-370, 82 Stat. 279)

This amendment shall become effective May 8, 1969.

BUSINESS AND DEFENSE SERVICES  
ADMINISTRATION,  
FORREST D. HOCKERSMITH,  
Acting Administrator.

[F.R. Doc. 69-5553; Filed, May 7, 1969; 8:51 a.m.]

## M-11A—COPPER AND COPPER-BASE ALLOYS

### Set-Aside Percentages

This amendment of Schedule A to BDSA Order M-11A is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations.

This amendment changes Revised Schedule A of November 5, 1968, to BDSA Order M-11A, as amended October 28, 1966, by designating July-December 1968, as the new base period, instead of calendar year 1965. This new base period is to be used by copper controlled material producers in computing the average shipment of a copper controlled material product.

This amendment further changes Revised Schedule A by decreasing the set-aside percentage for unalloyed seamless tube and pipe from 3 to 2 percent, for alloyed plate, sheet, strip, and rolls from 13 to 10 percent, for copper wire mill products (except shipboard cable) from 7 to 3 percent, and for copper foundry products from 6 to 4 percent, and by increasing the set-aside percentage for alloyed rod, bar, shapes, and wire from 15 to 16 percent.

This amendment applies to authorized controlled material orders calling for delivery after June 30, 1969.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; Sec. 1, Public Law 90-370, 82 Stat. 279)

Schedule A to BDSA Order M-11A is hereby amended to read as follows:

#### SCHEDULE A TO BDSA ORDER M-11A

##### Set-Aside Percentages

(See sec. 6(f) of BDSA Order M-11A)

Base period—July-December 1968

(See sec. 2(o) of BDSA Order M-11A)

Product	Percentage for orders calling for delivery after June 30, 1969 <sup>1</sup>
Brass mill products:	
Unalloyed:	
Plate, sheet, strip, and rolls.....	5
Rod, bar, shapes, and wire.....	5
Seamless tube and pipe.....	2
Alloyed:	
Plate, sheet, strip, and rolls.....	10
Rod, bar, shapes, and wire.....	16
Seamless tube and pipe.....	( <sup>2</sup> )
Military ammunition cups.....	( <sup>2</sup> )

Product	Percentage for orders calling for delivery after June 30, 1969 <sup>1</sup>
Copper Wire mill products:	
Copper wire and cable:	
Bare and tinned.....	3
Weatherproof.....	3
Magnet wire.....	3
Insulated building wire.....	3
Paper and lead power cable.....	3
Paper and lead telephone cable.....	3
Asbestos cable.....	3
Portable and flexible cord.....	3
Communications wire and cable.....	3
Shipboard cable.....	( <sup>2</sup> )
Automotive and aircraft wire and cable.....	3
Insulated power cable.....	3
Signal and control cable.....	3
Coaxial cable.....	3
Copper-clad steel wire containing over 20 percent copper by weight regardless of end use.....	3
Copper foundry products.....	4
Unalloyed copper powder mill products.....	( <sup>2</sup> )
Copper-base alloy powder mill products.....	( <sup>2</sup> )

<sup>1</sup> Schedule A revised as of Nov. 5, 1968, to BDSA Order M-11A, as amended Oct. 28, 1966, applies to orders calling for delivery prior to July 1, 1969.

<sup>2</sup> No reserve space provided. Producers of these products are nevertheless required to accept authorized controlled material orders for such products in accordance with the provisions of DMS Regulation No. 1 and this order. However, section 6(f) of Order M-11A does not apply to such authorized controlled material orders.

This revised schedule shall take effect May 8, 1969.

BUSINESS AND DEFENSE SERVICES  
ADMINISTRATION,  
FORREST D. HOCKERSMITH,  
Acting Administrator.

[F.R. Doc. 69-5554; Filed, May 7, 1969; 8:51 a.m.]

## Title 39—POSTAL SERVICE

### Chapter I—Post Office Department SUBCHAPTER A—POST OFFICE SERVICES, DOMESTIC

#### PART 127—MAIL ADDRESSED TO MILITARY POST OFFICES OVERSEAS

##### Miscellaneous Amendments

The regulations in Part 127 are amended to correct a reference, and to remove the general prohibition against the sending of firearms of all types to military post offices overseas. In the tabular data in § 127.2 a footnote relating to the prohibition of firearms to certain military post offices is added; and the tabular data is updated.



I. In § 127.1 *Preparation and handling* (33 F.R. 18441), make the following changes:

1. In paragraph (e) (4) the reference to "subparagraph (1)" should read "subparagraph (2)."

NOTE: The corresponding Postal Manual section is 127.154.

2. In paragraph (f) (1) amend subdivision (iv) to read as follows:

(f) *General prohibitions.* (1) \* \* \*

(iv) Explosives and ammunition.

NOTE: The corresponding Postal Manual section is 127.161d.

3. Under paragraph (f) add new subparagraph (3) reading as follows:

(3) Firearms not specifically prohibited by footnote F of § 127.2 are subject to the provisions of §§ 125.5 and 125.9 of this chapter.

NOTE: The corresponding Postal Manual section is 127.163.

II. In § 127.2 *Conditions prescribed by the Defense Department applicable to mail addressed to certain military post offices overseas*, make the following changes:

1. Footnote F at the end of the tabular data is reestablished, reading as follows:

F. Mail of all classes may not contain firearms of any type. See definition of firearms in § 125.9(a) of this chapter.

2. Amend the tabular data (except the footnotes at the end of the data) to read as follows:

Military post office num- ber	See foot- notes	Military post office num- ber	See foot- notes
09008...	B-C-D	09059...	B-C-D
09009...	B	09060...	B-C-D
09010...	A-B-C-E	09061...	B-C-D
09011...	A-B-C-E	09066...	B-C-D
09012...	B-C-D	09067...	B-C-D
09013...	B-C-D	09069...	B-C-D
09016...	A-B-F-I	09070...	B-C-D
09017...	A-B-C-E	09071...	B-C-D
09019...	B-C-I <sup>1</sup>	09072...	B-C-D
09020...	B	09074...	B-C-D
09025...	B-C-D	09075...	A-B*-C
09026...	B-C-D	09078...	B-C-D
09028...	B-C-D	09079...	B-C-D
09029...	B-C-D	09080...	B-C-D
09031...	B-C-D	09081...	B-C-D
09033...	B-C-D	09082...	B-C-D
09034...	B-C-D	09086...	B-C-D
09035...	B-C-D	09088...	B*
09036...	B-C-D	09090...	B-C-D
09038...	B-F-I	09091...	B-C-D
09039...	B-C-D	09093...	B-C-D
09040...	A-B-F-I	09095...	B-C-D
09045...	B-C-D	09098...	B-C-D
09046...	B-C-D	09099...	B-C-D
09047...	B-C-D	09101...	B-C-D
09048...	A-B*-C	09102...	B-C-D
09049...	A-B*-C	09106...	B-C-D
09050...	B-C-D	09107...	B-C-D
09051...	A-B-F-I	09108...	B-C-D
09052...	B-C-D	09109...	B-C-D
09053...	B-C-D	09110...	B-C-D
09054...	B-C-D	09111...	B-C-D
09055...	B	09114...	B-C-D
09056...	B-C-D	09119...	A-B-C-E
09057...	B-C-D	09120...	A-B*-C
09058...	B-C-D	09123...	B-C-D

Military post office num- ber	See foot- notes
09125...	A-B*-C
09127...	A-B*-C
09128...	B-C-D
09130...	B-C-D
09131...	B-C-D
09132...	B-C-D
09133...	A-B-F-I
09137...	B-C-D
09138...	B-C-D
09139...	B-C-D
09140...	B-C-D
09141...	B-C-D
09144...	B-C-D
09146...	B-C-D
09149...	B-C-D
09150...	A-B*-C
09154...	B-C-D
09155...	A-B
09158...	B-C-D
09159...	A-B
09160...	B-C-D
09162...	B-C-D
09164...	B-C-D
09165...	B-C-D
09166...	B-C-D
09168...	B-C-I <sup>1</sup>
09169...	B-C-D
09170...	C-D
09171...	B-C-D
09172...	B-C-D
09173...	B-C-D
09174...	B-C-D
09175...	B-C-D
09176...	B-C-D
09177...	B-C-D
09178...	B-C-D
09179...	A-B*-C
09180...	B-C-D
09184...	B-C-D
09185...	B-C-D
09189...	B-C-D
09193...	A-B*-C
09194...	A-B*-C
09197...	A
09202...	B*-C-J
09205...	A-B
09210...	A-B*-C
09218...	A-B*-C
09220...	B-C-D
09221...	B-C-I <sup>1</sup>
09223...	A
09224...	A-B-F-I
09227...	B-C-D
09230...	A-B-C-E
09231...	A
09238...	A-B*-C
09240...	B-C-I <sup>1</sup>
09241...	A-B*-C
09245...	B-C-D
09252...	B-C-D
09253...	A-B-C-E
09254...	A-B-F-I
09277...	B-C-D
09281...	B-C-D
09286...	A-B-F-I
09291...	A
09292...	A-B
09293...	B-C-I <sup>1</sup>
09294...	A-B-F-I
09305...	B-C-D
09319...	B-C-D
09320...	B-C-D
09321...	B-C-D
09322...	B-C-D
09324...	A-B-F-I
09326...	B-C-D
09329...	A-B-F-I
09330...	B-C-D
09332...	B-C-D
09333...	B-C-D
09338...	A-B-F-I
09339...	L

Military post office num- ber	See foot- notes
09378...	A-B*-C
09380...	A-B-F-I
09403...	B-C-D
09405...	A-B*-C
09407...	B-C-D
09409...	B-C-D
09411...	B-C-D
09451...	B-C-D
09460...	B-C-D
09505...	O
09510...	A-B*-C-I
09511...	A-B*-C-J
09512...	A-B*-C-J
09514...	A-C-D
09515...	A-B*-C-J
09516...	A-B*-C-I-J
09518...	A-B*-C-J
09520...	A-C-I
09521...	A-C-I <sup>1</sup>
09522...	A-C-I <sup>1</sup>
09523...	A-C-I <sup>1</sup>
09524...	A-C-I
09525...	A
09527...	A-N
09529...	A-C-I <sup>1</sup>
09531...	A-B-C-F-M
09544...	A-B-C-E
09580...	B
09584...	B
09585...	B
09607...	A-B*-C
09611...	C-D
09616...	B-F-I
09633...	B-C-D
09659...	A-B*-C
09664...	I
09665...	A-B-F-I
09666...	B-C-D
09667...	B*
09672...	B-F-I
09676...	B-C
09678...	B-I
09684...	B-C-D
09686...	A-B-C-E
09688...	A-B-F-I
09689...	B-C-I <sup>1</sup>
09690...	A
09692...	B-C-D
09693...	A
09696...	B-C-D
09697...	B-F-I
09699...	B-C-D
09742...	C-D
09743...	B-C-D
09751...	B-C-D
09755...	A-B*-C
09757...	B-C-D
09777...	A-B-C-E
09794...	B-C-I <sup>1</sup>
09801...	B-C-D
09807...	B-C-D
09817...	L
09825...	B
09826...	B
09827...	B
09829...	B
09832...	B
09834...	B
09837...	B
09843...	B-C-D
09872...	B-C-D
09879...	A-C-D-F-H-I-M
96201...	A-F
96202...	A-B
96203...	A-F
96204...	A-F
96205...	A-F
96206...	A-B
96207...	A-B
96208...	A-B
96209...	A-B-H

Military post office num- ber	See foot- notes
96210...	A-B
96211...	A-B
96212...	A-B
96213...	A-B
96215...	A-F
96216...	A-F
96217...	A-F
96218...	A-B
96219...	A-F
96220...	A-B
96221...	A-F
96222...	A-F
96223...	A-F
96224...	A-B
96225...	A-F
96226...	A-F
96227...	A-F
96228...	A-F
96231...	A-B
96236...	A-F
96238...	A-F
96240...	A-F
96243...	A-F
96250...	A-F
96251...	A-B
96256...	A-F
96257...	A-F
96258...	A-F
96259...	A-B
96260...	A-F
96262...	A-F
96264...	A-B
96265...	A-F
96266...	A-F
96267...	A-B
96268...	A-F
96269...	A-F
96270...	A-B
96271...	A-B
96274...	K
96276...	A-B
96277...	K
96278...	A-F
96279...	A-F
96281...	A-B
96284...	P
96289...	A-F
96291...	A-F
96294...	A-F
96295...	A-F
96296...	A-F
96297...	A-F
96298...	K
96299...	A-B
96301...	A-B
96302...	A-B
96306...	I
96307...	A-F
96308...	A-F
96309...	A-F
96311...	K
96312...	A-F
96313...	B-H-M
96314...	A-F
96316...	A-F
96317...	A-F
96318...	A-F
96320...	A-F
96321...	A-F
96322...	A-F
96323...	A-B
96324...	A-B
96325...	A-F
96326...	A-F
96328...	A-B
96332...	A-F
96333...	M
96335...	A-B
96336...	A-B
96337...	A-F
96338...	A-B

Military post office num- ber	See foot- notes
96343...	A-B
96345...	A-F
96347...	A-F
96348...	A-F
96349...	A-F-H
96350...	A-F
96353...	A-F
96354...	A-B
96355...	A-F
96356...	A-I
96357...	A-F
96358...	A-B
96359...	A-F
96361...	A-F
96362...	A-F
96363...	A-F
96368...	A-F
96369...	A-B-H
96370...	A-F
96371...	A-F
96372...	A-F
96373...	A-F
96374...	A-F
96375...	A-F
96376...	A-F
96377...	A-F
96379...	A-F
96381...	A-F
96383...	A-F
96384...	A-F
96385...	A-F
96388...	A-F
96390...	A-B
96402...	A-F
96444...	A-B-F
96455...	A-B
96460...	A-B
96477...	A-F
96490...	A-F
96491...	A-F
96492...	A-F
96493...	A-F
96495...	A-F
96496...	A-F
96499...	A-F
96502...	A-B
96503...	A-B
96504...	A-B
96519...	A-B
96525...	A-B
96528...	K
96529...	A-B
96530...	A-F
96555...	M
96570...	A-B
96571...	A-B
96594...	A-B
96599...	A-F
96605...	O
96631...	A-F
96622...	A-F
96623...	A-F
96624...	A-F
96625...	A-F
96626...	A-F
96627...	A-F
96628...	A-F
96629...	A-F
96638...	A-F
96639...	A-F
96641...	A-F
96648...	A-F
96650...	A-K
96651...	A-K
96652...	A-K
96654...	A-K
96656...	A-K
96658...	A-K
96660...	A
96661...	A-B
96662...	A-B



Military post office num- ber	See foot- notes	Military post office num- ber	See foot- notes
96664..	A-B	98760..	A-B
96666..	A-B	98761..	A-B
96667..	A-B	98762..	A-B
96668..	A-B	98764..	A-B
96670..	A	98765..	A-B
96672..	A	98766..	A-B
96673..	A	98767..	A-B
96680..	A-B-H-Q	98768..	A-B
96690..	B-H	98769..	A-B
96694..	A-F	98770..	A
96695..	A-F	98772..	A
96696..	A-F	98773..	A
96697..	A-F	98781..	A-B
96699..	A-F	98782..	A-B

NOTE: The corresponding Postal Manual section is 127.2.

(5 U.S.C. 301, 39 U.S.C. 501, 505, 706, 712)

DAVID A. NELSON,  
General Counsel.

MAY 1, 1969.

[P.R. Doc. 69-5408; Filed, May 7, 1969;  
8:45 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 50—Public Contracts, Department of Labor

#### PART 50-201—GENERAL REGULATIONS

##### Conformable Change

Pursuant to section 6 of the Walsh-Healey Public Contracts Act (41 U.S.C. 40) and Secretary of Labor's Order No. 3-69 (34 F.R. 1203) and in order to conform § 50-201.1(f) of Title 41 of the Code of Federal Regulations to the other amendments of Part 50-201 published in the FEDERAL REGISTER on April 19, 1969 (34 F.R. 6687), § 50-201.1(f) of Title 41, Code of Federal Regulations, is amended in the manner as follows:

##### § 50-201.1 Insertion of stipulations.

(f) Any breach or violation of any of the foregoing representations and stipulations shall render the party responsible therefor liable to the United States of America for liquidated damages, in addition to damages for any other breach of the contract, in the sum of \$10 per day for each person under 16 years of age, or each convict laborer knowingly employed in the performance of the contract, and a sum equal to the amount of any deductions, rebates, refunds, or underpayment of wages due to any employee engaged in the performance of the contract; and, in addition, the agency of the United States entering into the contract shall have the right to cancel same

and to make open-market purchases or enter into other contracts for the completion of the original contract, charging any additional cost to the original contractor. \* \* \*

(Sec. 6, 49 Stat. 2038, as amended; 41 U.S.C. 40)

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

Signed at Washington, D.C., this 5th day of May 1969.

ROBERT D. MORAN,  
Administrator, Wage and Hour  
and Public Contracts Divisions.

[P.R. Doc. 69-5521; Filed, May 7, 1969;  
8:50 a.m.]

## Title 49—TRANSPORTATION

### Chapter X—Interstate Commerce Commission

#### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1025]

#### PART 1033—CAR SERVICE

##### Regulations for Return of Covered Hopper Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 2d day of May 1969.

It appearing, that an acute shortage of covered hopper cars exists in all sections of the country; that shippers are being deprived of covered hopper cars required for loading, resulting in an emergency, forcing curtailment of their operations thus creating great economic loss and reduced employment of their personnel; that covered hopper cars, after being unloaded, are being appropriated and being retained in services for which they have not been designated by the car owners; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of covered hopper cars are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

##### § 1033.1025 Regulations for return of covered hopper cars.

(a) Each common carrier by railroad subject to the Interstate Commerce Act

shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Covered hopper cars, in interline service (including intraterminal switch movements) after being unloaded shall be returned to the originating line via reverse of service route, billed on standard form waybills without charges, except as provided in subparagraph (3) of this paragraph:

(2) When a covered hopper car is released after handling on switching waybills which do not show the origin or complete reverse route, such car shall be returned empty to the line from which it was received loaded for further movement as required by subparagraph (1) of this paragraph.

(3) Exception. Empty covered hopper cars will be sent to other points upon instructions of the car owner given in writing, or orally, confirmed in writing. Such instruction shall include name of station to which car is to be sent and necessary routing authority.

(b) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any covered hopper car offered for movement contrary to the provisions of paragraph (a) of this section.

(c) The term covered hopper cars as used in this order means freight cars having a mechanical designation "LO" in the Official Railway Equipment Register, ICC R.E.R. No. 371 issued by E. J. McFarland, or successive issues thereof.

(d) Application: The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(e) Effective date: This order shall become effective at 12:01 a.m., May 6, 1969.

(f) Expiration date: The provisions of this order shall expire at 11:59 p.m., June 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,  
Secretary.

[P.R. Doc. 69-5502; Filed, May 7, 1969;  
8:48 a.m.]



# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Fiscal Service

[ 31 CFR Part 306 ]

### UNITED STATES SECURITIES

Book-Entry Procedure

Correction

In F.R. Doc. 69-4956 appearing at page 6930, in the issue for Friday, April 25, 1969, § 306.115(c) should read as follows:

(c) "Definitive Treasury security" means a transferable Treasury bond, note, certificate of indebtedness, or bill issued under the Second Liberty Bond Act, as amended, in engraved or printed form.

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[ 7 CFR Part 912 ]

[ Docket No. AO-333-A3 ]

### GRAPEFRUIT GROWN IN THE INDIAN RIVER DISTRICT IN FLORIDA

#### Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Amendment of the Amended Marketing Agreement and Order Regulating the Handling

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendment of the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District in Florida, hereinafter referred to collectively as the "order." The order is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601-674), hereinafter referred to as the "act."

Interested persons may file written exceptions to this recommended decision with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 15th day after publication of the recommended decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate. All such communications will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

**Preliminary statement.** The Public hearing, on the record of which the proposed amendment of the order is formulated, was instituted by the Consumer and Marketing Service as a result of proposals submitted by the Indian River Grapefruit Committee, the administrative agency established pursuant to the amended marketing agreement and order. A notice that such public hearing would be held in the Community Building, 21st Street and 14th Avenue, Vero Beach, Fla., was published in the FEDERAL REGISTER on January 25, 1969 (34 F.R. 1253).

**Material issues.** The material issues presented on the record of the hearing involved amendatory action relating to:

(1) Providing a method for computing the prorate bases for handlers based on total shipments within a representative period;

(2) Revising the overshipment provisions to permit handlers to overship to an accumulated total of 500 boxes, or any amount up to 1,000 boxes, if the Secretary so orders by appropriate rules and regulations;

(3) Revising the allotment loan provisions to provide that, in addition to permitting loaning of allotment, handlers may transfer all or part of the allotment; and

(4) Making conforming changes.

**Findings and conclusions.** The findings and conclusions on the material issues, all of which are based upon the evidence adduced at the hearing and the record thereof, are as follows:

1. The order should be amended to authorize a new method for computing the prorate base for handlers. The new method should require that the prorate base for each handler be based on the total shipments made by the handler during a representative period. Currently, the order authorizes, for handlers who have made shipments in the immediately preceding season, that the amounts which each such handler may handle shall be based upon his shipments within the representative period. For those handlers who made no shipments during the immediately preceding season and handlers entering the business during the then current season, the order authorizes the calculation of the prorate base for each such handler to be based on his prior shipments, if any, grapefruit under contract, trade outlets, and other factors which, in the judgment of the committee, are relevant and proper to be used in arriving at an equitable prorate base for such handler.

The Agricultural Marketing Agreement Act of 1937, as amended, specifies that the allotment of the amount which each handler may market shall be based upon the amounts which each such handler has available for current shipment, or upon the amounts shipped by each such handler in such prior period

as the Secretary determines to be representative, or both.

It would not be appropriate or equitable at the present time to use amounts available for current shipment as the basis for computing the prorate bases for all handlers of Indian River grapefruit. Cash buyers who purchase grapefruit throughout the season plus the fact that there is a substantial quantity of grapefruit not under the control of handlers at the start of the season make current availability inappropriate for use in computing the prorate base for handlers. Likewise, it would be inappropriate to use a combination of current availability and past shipments for all handlers for the same reasons. Thus, prior shipments of handlers is the only method available to the industry at the present time. The new method uses prior shipments exclusively as the basis for determination of the prorate base.

Currently, the representative period is the three immediately preceding seasons. The past three seasons should be retained in the representative period because such period has proved to be satisfactory. The elapsed weeks of the current season should be added to the past three seasons to form the representative period. The addition of the elapsed weeks of the current season will include shipments made by all handlers during the then current season. Thus, shipments made by all of the handlers from the beginning of the representative period to date will be included in the total used for determining the prorate base of handlers.

Only those shipments that have been made in the immediately preceding seasons should be used in the total shipments for calculation of the prorate base for handlers. There are handlers who have shipped previously but did not ship during each of the three seasons of the representative period. For example, a handler may have shipped during the 1965-66 season, did not ship during the 1966-67 season, shipped during the 1967-68 season, and has made shipments during the current season (1968-69). The shipments made by such handler during the 1965-66 season would not be included in the total shipments used for computing his prorate base. Only the shipments such handler made during the 1967-68 season together with the shipments made during the current season (1968-69) would comprise his shipments for calculating the prorate base for such handler. Because a handler abstained from making shipments for an entire season, it is not likely that he would start anew at his same relative position in the industry. A catastrophe may necessitate his reentry on a very limited scale. Through reorganization or refinancing his new operation may handle a much greater volume. Whatever the situation is that results in a handler not



making any grapefruit shipments during a season, it would not be equitable or appropriate to use shipments made within any of the marketing seasons prior to the one during which he made no shipments because such prior shipments would not likely reflect his relative position with respect to all handlers.

The order should specify the new method to be used in computing a prorate base for handlers. Such method should specify that the computation be made by adding together the handler's shipments of grapefruit made in the current season and his shipments in the immediately preceding seasons, if any, within the representative period, in which he shipped grapefruit and dividing such total by a divisor computed by adding together the number of weeks elapsed in the current season and 51 weeks for each of such immediately preceding seasons within the representative period in which the handler shipped grapefruit. Such would provide a uniform rule, which would be applicable to all handlers, and based upon the amounts handled by the handler in the "prior period" as provided in the act.

The term "season" should mean that portion of a fiscal period which covers all the full weeks in such period. This would provide an appropriate number in determining the divisor for use in computing the prorate bases. It would not be feasible to use 52 weeks of the fiscal period because even though such period begins on August 1 of each year such date does not always coincide with Monday, the beginning day used for weekly shipping records by the industry. Shipments made during the week which comprises the ending days of one fiscal period and the beginning days of the following fiscal period are not identified, as hereinafter explained, as to the particular day on which made. Therefore, such shipments should be excluded.

The term "current season" should mean the period beginning with the first full week in August of the current fiscal period through the fourth full week preceding the week of regulation, except that when the committee has obtained the official shipping records of the handlers through the third full week preceding the week of regulation, the current season shall extend through such third week.

It is desirable to use the term "full week" instead of "full calendar week" because the "calendar week" begins on Sunday and extends through Saturday and the shipping records are maintained on Monday through Sunday basis. The use of the term "full week" would make the weekly period coincide with the period used for keeping records within the industry.

The official records of shipments of handlers are provided to the committee by the Federal-State Inspection Service. Shipments are tabulated by said service after the conclusion of the weekly shipping period without reference to the particular day of the week the shipments are in fact made. When the tabulation has been completed, the report is furnished

to the committee. The evidence of record shows that, on the basis of past performance, the information concerning handlers' shipments through the third full week preceding the week of regulation will generally be available when the committee meets to consider the need for such regulation. It is not possible, at the present time, to define the term "current season" so as to include in each instance shipments of said third week as there have been occasions, and may continue to be occasions, when the information concerning handler's shipments extend only through the fourth full week preceding the week of regulation.

It is important for the committee to have a record of the latest shipments of handlers for inclusion in the calculation of the prorate bases. Often the shipments made early in the season are of small volume due to lack of maturity, small size fruit, or for other reasons. Later shipments are often in larger amounts as more fruit becomes mature, size becomes larger, and the demand for such fruit may improve. Since the prorate base is to be computed each week, when volume regulation is likely to be recommended, it would be equitable and in keeping with the desires of the industry, to include all the shipments of record that have been made during the current season. Thus, it would not be appropriate to require the computation in each instance to include only those shipments made up to and including the fourth full week prior to the week of regulation if information concerning shipments made 1 week later was available to the committee. Accordingly, the prorate base computation, and the terms "representative period," "season," and "current season" should be on the basis as hereinbefore discussed and as hereinafter set forth.

2. The provisions of the order relating to overshipments should be amended as hereinafter set forth to provide more flexibility. Currently, order provisions permit the overshipment of an amount equivalent to 10 percent of the total allotment or 500 boxes, whichever is greater. Handlers with a small allotment generally use the 500 box overshipment. A handler may overship one box or the entire 500 boxes during the week. However, when he overships, he must repay the overshipment from the allotments issued to him for the next week and, when required, for successive weeks. The order should be amended to permit handlers to make successive overshipments until the overshipments total an authorized amount before such overshipments are charged against his allotments. This is for the reason that handlers who handle a limited quantity of grapefruit, are issued a small allotment each week of regulation, and should be afforded the opportunity to complete all of the shipments in a few weeks by taking advantage of the overshipment provisions as hereinafter set forth. Under the procedure of this amendment, such a handler could proceed with his shipments using his weekly allotments and making overshipments during each of the consecutive

weeks of regulation until the total of such overshipments reaches 500 boxes. The subsequent weekly allotments issued to the handler would then be used to repay such overshipments. However, if the handler does not make any shipments of grapefruit during a weekly period for which an allotment was issued to him, the entire allotment should be used to offset, to the extent thereof, any permitted overshipment by such handler during the immediately preceding week or weeks of continuous regulation.

The evidence of record establishes that the 500 box overshipment permitted by the order should be retained. However, authority should be included in the order for the Secretary, on the basis of a recommendation of the committee or other available information, to increase the amount from 500 boxes up to but not more than 1,000 boxes so as to afford handlers greater flexibility in the handling of grapefruit during periods of regulation without the requirement for immediate offset of overshipment by current allotment. Record evidence shows that such an increase should be made effective, insofar as possible, at the start of a fiscal period and continue throughout the season. In any event, if the situation warrants such a change at any time, such change should be made promptly and the order should permit such action. In addition to providing authority for the Secretary to increase the total quantity that may be overshipped, the order should contain authority for him to decrease such amount but not below 500 boxes. Suppose, for example, that the amount was increased from 500 boxes to 1,000 boxes. Suppose further that, after a period of operation, the committee determines that the increase to 1,000 boxes is then too large an amount to be permitted to be continued for overshipment. For example, the 1,000 box overshipment was causing a greater aggregate quantity of grapefruit to be shipped than could be marketed in an orderly manner. The Secretary, on the basis of a committee recommendation or other available information, should be authorized by the order to prescribe such lesser amount as may be appropriate in the circumstances, as for example, 750 boxes or the original 500 boxes, instead of the 1,000 boxes.

Thus, it is concluded that the order should be amended as hereinafter set forth on the basis heretofore discussed.

3. The provisions of the order dealing with allotment loans should be retitled "allotment loans and transfers" and amended as hereinafter set forth. Currently, the order permits allotments to be loaned. Each such loan, prior to its consummation, shall be approved by the committee. The committee, prior to approval, shall be provided information by each party concerning the loan, including the date of repayment. There are a number of handlers of Indian River grapefruit who receive a small allotment during each week of regulation. Some of such handlers desire to ship a quantity of grapefruit in excess of the allotment plus permitted overshipment. To do so



the handler would have to borrow allotment from another handler. Because of the small quantity involved or for other reasons, the lending handler may not desire the repayment of the loan. Thus, an agreed repayment date late in the season is specified. By specifying such date, it is reasonable to believe the loan will not be repaid because in all probability at that date neither handler may have any fruit to ship or there may be no regulation in effect requiring allotments for shipments.

The provisions for loans of allotment should be retained in the order because such provisions are needed. There should be included in the order authority for the transfer of allotment from one person to another. Each party to the transfer should be required to notify the committee promptly so that proper entries on the record may be made. The prompt notification of the committee is important in the administration of the program and for enforcement purposes. The inclusion of authority for the transfer of allotment from one person to another should not interfere with the operation of the loaning of allotment. The two operations are compatible. With the addition to the order of the transfer provisions, it is anticipated that those persons desiring to have loans repaid will use the loan provisions while those not desiring repayment of the allotment will use the transfer provisions. Thus, it is concluded that the order should be amended to authorize the transfer of allotment among persons to whom allotments have been issued.

4. The amendment heretofore recommended will make necessary certain conforming changes in §§ 912.46 and 912.47. In these sections reference is made to the first "full calendar week." The word "calendar" should be deleted so that the reference will be to the first "full week" and such will refer to the same 7-day period as "full week" as used in revised § 912.48(d).

*Rulings on proposed findings and conclusions.* April 7, 1969, was fixed as the latest date for interested parties to file proposed findings and conclusions, and written arguments or briefs, with respect to the facts presented in evidence at the hearing.

A brief was filed by Charles E. Davis of Fishback, Davis, Dominic, Troutman and Salfi, 170 East Washington Street, Orlando, Fla., attorneys for and on behalf of Schwey World Famous Citrus, Inc.

Each point in the brief was fully and carefully considered, along with the evidence in the record, in making the findings and reaching the conclusions herein set forth. To the extent that any suggested findings or conclusions contained in the brief are inconsistent with the findings and conclusions contained herein, they are denied on the basis of the facts found and stated in connection with this decision.

*General findings.* Upon the basis of the evidence introduced at such hearing, and the record thereof, it is found that:

(1) The marketing agreement, as amended and as hereby proposed to be

amended, and the order, as amended and as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The marketing agreement, as amended and as hereby proposed to be amended, and the order, as amended and as hereby proposed to be amended, regulate the handling of grapefruit grown in the Indian River District in Florida in the same manner as, and are applicable only to persons in the respective classes of commercial or industrial activity specified in, the marketing agreement and order upon which a hearing has been held;

(3) The marketing agreement, as amended and as hereby proposed to be amended, and the order, as amended and as hereby proposed to be amended, are limited in their application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of grapefruit grown in the Indian River District in Florida which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of grapefruit grown in the Indian River District, as defined in said marketing agreement and order, as amended and as hereby proposed to be amended, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

*Recommended further amendment of the marketing agreement and order.* The following amendment of the amended marketing agreement and order is recommended as the detailed means by which the foregoing conclusions may be carried out:

1. The word "calendar" is deleted wherever it appears in § 912.46.

2. The word "calendar" is deleted wherever it appears in § 912.47.

3. Section 912.48 *Prorate bases* is revised by revising paragraph (d) thereof to read as follows and by deleting paragraph (e) thereof:

§ 912.48 *Prorate bases.*

(d) Each week during the marketing season when volume regulation is likely to be recommended for the following week, the committee shall compute a prorated base for each handler who has made application in accordance with the provisions of this section. The prorated base for each such handler shall be computed by adding together the handler's shipments of grapefruit in the current season and his shipments in the immediately preceding seasons, if any, within the representative period, in which he shipped grapefruit and dividing such total by a divisor computed by adding together the number of weeks elapsed in the current season and 51 weeks for each of such immediately preceding seasons

within the representative period in which the handler shipped grapefruit. For purposes of this section "representative period" means the three preceding seasons together with the current season; the term "season" means the 51-week period beginning with the first full week in August of any year; and the term "current season" means the period beginning with the first full week in August of the current fiscal period through the fourth full week preceding the week of regulation: *Provided*, That when official shipping records are available to the committee the said "current season" shall extend through the third full week preceding the week of regulation.

(e) [Deleted.]

4. Section 912.50 *Overshipments* is revised to read as follows:

§ 912.50 *Overshipments.*

During any week for which the Secretary has fixed the total quantity of grapefruit which may be handled, any person who has received an allotment may handle, in addition to the total allotment available to him, an amount of grapefruit equivalent to 10 percent of such total allotment or 500 boxes, whichever is greater: *Provided*, That the Secretary, on the basis of a recommendation of the committee or other available information, may set such amount at any figure not less than 500 boxes and not more than 1,000 boxes. Handlers may overship (a) during such week the entire 500 boxes or other amount not in excess of 1,000 boxes as may be set by the Secretary, or (b) during two or more consecutive weekly periods when regulations are in effect, any portion of such 500 boxes or any other amount set by the Secretary until the accumulated overshipments reach the applicable maximum number of boxes permitted to be overshipped. The quantity of grapefruit so overshipped when regulations are in effect shall be deducted from such person's allotment for the week following the one in which the total permitted overshipment is reached or for the week in which such person makes no shipments of grapefruit. If such person's allotment for such week is an amount less than the excess shipments permitted under this section, the remaining quantity shall be deducted from succeeding weekly allotments issued to such person until such excess has been entirely offset: *Provided*, That any time there is no volume regulation in effect it shall be deemed to cancel all requirements to undership allotment because of previous overshipments pursuant to this part.

5. Section 912.52 *Allotment loans* is revised to read as follows:

§ 912.52 *Allotment loans or transfers.*

(a) A person to whom allotments have been issued may lend or transfer all or part of such allotment to another such person.

(1) In connection with a loan of allotment, each party to any such loan agreement shall, prior to completion of the agreement, notify the committee of the proposed loan and the date of repayment,



and obtain the committee's approval of the agreement.

(2) In connection with the transfer of allotment, each party shall promptly notify the committee so that proper adjustments of records can be made.

(b) The committee may act on behalf of persons desiring to arrange allotment loans or participate in the transfer of allotment. In each case the committee shall confirm all such transactions immediately after the completion thereof by memorandum addressed to the parties concerned, which memorandum shall be deemed to satisfy the requirements of paragraph (a) of this section as to notifying the committee and obtaining committee approval.

Dated: May 2, 1969.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs

[F.R. Doc. 69-5498; Filed, May 7, 1969;  
8:48 a.m.]

[ 7 CFR Part 1006 ]

MILK IN UPPER FLORIDA  
MARKETING AREA

Notice of Proposed Suspension of  
Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Upper Florida marketing area is being considered for the period of May through August 1969.

The provisions proposed to be suspended are in § 1006.16(b), and are as follows:

1. The language in the introductory text which reads "in any month in which not less than 10 days' production of the producer whose milk is diverted is physically received at a pool plant"; and
2. Subparagraphs (2), (3), and (4) in their entirety.

The proposed suspension would permit unlimited diversion of producer milk to nonpool plants from May through August 1969. Presently, the order limits the quantity of producer milk that may be diverted by a cooperative association to 25 percent of all milk of its member producers physically received at pool plants during the month. The same percentage limitation on the diversion of its producer receipts applies to the operator of a pool plant. Also, the order now requires that at least 10 days' production of an individual producer be delivered to a pool plant if diversion of his milk is to be permitted on other days of the month.

Northeast Florida Milk Producers Association requested the suspension. The absence of available manufacturing facilities in the market will require diverting the excess milk to distant manufacturing outlets in other States. The cooperative contends that considerable hauling economies can be realized by di-

verting the milk that is produced nearest these outlets. It claims that without the suspension action additional hauling will be required in moving this milk to pool plants in order to keep its members qualified as producers under the order.

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

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

Signed at Washington, D.C., on May 2, 1969.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 69-5497; Filed, May 7, 1969;  
8:48 a.m.]

DEPARTMENT OF  
TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Part 71 ]

[Airspace Docket No. 69-SO-39]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Walterboro, S.C., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

The Walterboro transition area would be designated as:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Walterboro Municipal Airport.

The proposed transition area is required for the protection of IFR operations at Walterboro Municipal Airport in climb from 700 to 1,200 feet and in descent from 1,500 to 1,000 feet above the surface. A prescribed instrument approach procedure to Walterboro Municipal Airport is proposed in conjunction with the designation of this transition area.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).

Issued in East Point, Ga., on April 28, 1969.

GORDON A. WILLIAMS, Jr.,  
Acting Director, Southern Region.

[F.R. Doc. 69-5493; Filed, May 7, 1969;  
8:48 a.m.]

[ 14 CFR Part 103 ]

LOADING AND TRANSPORTING  
POISONS, CLASS A OR B WITH  
FOODSTUFFS

Proposed Restrictions

CROSS REFERENCE: For a document regarding proposed amendments concerning restrictions against loading and transporting certain poisons with foodstuffs, see F.R. Doc. 69-5522, Hazardous Material Regulations Board, 49 CFR Parts 174, 175, 177, *infra*.

[ 14 CFR Part 151 ]

[Docket No. 9575; Notice 69-20]

ALLOWABLE PROJECT COSTS FOR  
DONATED AND CERTAIN OTHER  
ITEMS

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 151 of the Federal Aviation Regulations to provide for the appraisal of project costs in certain cases after the grant agreement is executed, and downward adjustment of the U.S. share thereof where appropriate. This procedure would be used where the sponsor inadvertently or unknowingly failed to state in the project application, as required, that an estimated cost consisted of the value of donated land, labor, materials, or equipment, or of the value of a property interest in land acquired at a cost that (as represented by the sponsor) is not the actual cost or the amount of an award in eminent domain proceedings.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24,



800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before June 9, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

The last sentence of § 151.23 of the Federal Aviation Regulations states that if any part of the estimated project costs consists of the value of donated land, labor, materials, or equipment, or of the value of a property interest in land acquired at a cost that (as represented by the sponsor) is not the actual cost or the amount of an award in eminent domain proceedings, the sponsor must so state in the application, indicating the nature of the donation or other transaction and the value it places on it. However, there are instances in which a grant agreement has been entered into where the sponsor has failed to observe this requirement, through inadvertence or because it did not know the item would be donated at the time of the project application.

The proposed changes would establish a specific procedure (similar to that in § 151.27 used before the grant agreement), for use after the grant agreement is entered into but before final grant payment is made, that would provide an appraisal procedure applicable to each of the items in question. A downward adjustment in the U.S. share of the project costs would be made to reflect any decrease in value of the item below the value stated in the project application. These procedures would be used only where the sponsor's inadvertence or lack of knowledge is discovered after the grant agreement is executed, thus supplementing § 151.27 for the situations in question. The sponsor would have the right to request reconsideration, as it has under the § 151.27 procedure, thus safeguarding its interest. This is the only adjustment that would be made, for no increase in the U.S. share would be made in these circumstances.

In consideration of the foregoing, it is proposed to amend Part 151 of the Federal Aviation Regulations as follows:

1. By striking out the third sentence of § 151.23.
2. By inserting a new § 151.24 following § 151.23 to read as follows:

**§ 151.24 Procedures: application; information on estimated project costs.**

(a) If any part of the estimated project costs consists of the value of donated land, labor, materials, or equipment, or of the value of a property interest in land acquired at a cost that (as represented by the sponsor) is not the actual cost or the amount of an award in eminent domain proceedings, the sponsor must so state in the application, indicating the nature of the donation or other transaction and the value it places on it.

(b) If, after the grant agreement is executed and before the final payment

of the allowable project costs is made under § 151.63 of this part, it appears that the sponsor inadvertently or unknowingly failed to comply with paragraph (a) of this section as to any item, the Administrator—

(1) Makes or obtains an appraisal of the item, and if the appraised value is less than the value placed on the item in the project application, notifies the sponsor that it may, within a stated time, ask in writing for reconsideration of the appraisal and submit statements of pertinent facts and opinion; and

(2) Adjusts the U.S. share of the project costs to reflect any decrease in value of the item below that stated in the project application.

These amendments are proposed under the authority of sections 1-15 and 17-20 of the Federal Airport Act (49 U.S.C. 1101-1114, 1116-1119), section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)), and § 1.4(b) (2) of the regulations of the Office of the Secretary of Transportation.

Issued in Washington, D.C., on April 24, 1969.

CHESTER G. BOWERS,  
Director, Airports Service.

[F.R. Doc. 69-5494; Filed, May 7, 1969;  
8:48 a.m.]

**Hazardous Materials Regulations Board**

[49 CFR Parts 174, 175, 177]

[Docket No. HM-4; Notice No. 69-12]

**LOADING AND TRANSPORTING POISONS, CLASS A OR B WITH FOODSTUFFS**

**Proposed Restrictions**

The Hazardous Materials Regulations Board is considering amending Parts 174, 175, and 177 of Title 49 and Part 103 of Title 14 of the Department's Hazardous Materials Regulations (1) to clarify a previous amendment (Amendment 67-1, Docket HM-4) concerned with the carriage of poisons and foodstuffs and (2) to propose further amendments to the current loading and carriage requirements. An advance notice of proposed rule making will soon be published which will request public advice on the reasons for leakage of packages, the resulting safety hazards, and appropriate regulatory action.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket and notice number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, 400 Sixth Street SW., Washington, D.C. 20590. Communications received on or before June 10, 1969, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board,

both before and after the closing date for comments.

Amendment 67-1 was issued on December 21, 1967 (32 F.R. 20982, 12-29-67) after a number of deaths occurred outside the United States due to eating food that was contaminated by an insecticide or pesticide. Many of the contamination incidents resulted from shipments originating in the United States. A number of injuries occurred in the United States from similar contamination incidents. Numerous petitions and complaints have been filed with the Board since issuance of Amendment 67-1 pointing out certain problems caused by the rule. In this notice the Board proposes to resolve some of these problems by making certain clarifying changes in language. In addition, the Board proposes to adopt additional restrictions on the comingling of shipments of poisons and foodstuffs.

One major difficulty in attempting to comply with the amendment was a lack of certainty as to how far a carrier was required to go in identifying foodstuffs, feeds, or any other material intended for consumption by humans or animals under the provisions of the amendment. The Board recognizes the difficulties inherent in attempting to segregate packages of foodstuffs under normal cargo handling procedures. It is proposed to clarify and relax this requirement. Only those foodstuffs and feed, etc., which are clearly marked as or are known to be such need be considered in applying these regulations.

Carriers have had difficulty in understanding the meaning of the terms "airtight and nonpermeable." Although the normal dictionary meaning of these terms was intended, the amount of confusion that has ensued warrants reconsideration of this requirement. In many cases, the mechanics of making on-the-spot field determinations of whether a particular packaging for foodstuffs was airtight or nonpermeable were impracticable. The practical result often was an operational restriction by carriers against loading any poisons with any foodstuffs, regardless of packaging. Several carrier representatives have suggested that the regulations be amended to that effect to reflect the practicalities of transportation.

Although the regulations in question at present deal only with poison, class B, several class A poisons are shipped as liquids. The Board therefore proposes to include all class A poisons in the restriction against loading with foodstuffs, feeds, or any other material intended for consumption by humans or animals. Accordingly, the Board proposes to place a total restriction on the transportation of all packages of poisons, class A or B, with packages of foodstuffs, feed, or any other material intended for consumption by humans or animals as discussed above.

Another clarifying change that is proposed would limit post-transportation inspection on aircraft to the compartment in which the poisonous material was carried. Aircraft have a number



of isolated cargo compartments with no reasonable way for materials to leak from one compartment to another. Therefore, it is unreasonable to require inspection of an entire aircraft in every case.

In consideration of the foregoing, it is proposed to amend Parts 174, 175, 177, and 103 of the Department's Hazardous Materials Regulations as provided for herein. This proposal is made under the authority of sections 831-835 of title 18, United States Code; section 9 of the Department of Transportation Act (49 U.S.C. 1657); and title VI and section 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on May 5, 1969.

F. C. TURNER,  
Administrator,  
Federal Highway Administration.

R. N. WHITMAN,  
Administrator,  
Federal Railroad Administration.

SAM SCHNEIDER,  
Board Member, for the  
Federal Aviation Administration.

I. Part 174 would be amended as follows:

A. By amending paragraph (m) in § 174.532 to read as follows:

§ 174.532 Loading other dangerous articles.

(m) Material marked as or known to be poison, class A or B, must not be transported in the same car with material which is marked as or known to be foodstuffs, feeds, or any other material intended for consumption by humans or animals.

B. By amending subparagraph (a) (1) in § 174.566 to read as follows:

§ 174.566 Cleaning cars.

(a) \* \* \*

(1) A car which has been used to transport material marked as or known to be poison, class A or B, must be inspected for contamination before reuse. A car which has been contaminated must not be returned to service until such contamination has been removed. This subparagraph does not apply to cars used solely for transporting such poisons so long as they are used in that service.

II. Part 175 would be amended as follows:

A. By amending paragraphs (k) and (l) in § 175.655 to read as follows:

§ 175.655 Protection of packages.

(k) Material marked as or known to be poison, class A or B, must not be transported in the same car with material which is marked as or known to be foodstuffs, feeds, or any other material intended for consumption by humans or animals.

(l) A car which has been used to transport material marked as or known to be poison, class A or B, must be inspected for contamination and must not be re-

turned to service until such contamination has been removed.

III. Part 177 would be amended as follows:

A. By amending paragraph (e) in § 177.841 to read as follows:

§ 177.841 Poisons.

(e) Material marked as or known to be poison, class A or B, must not be transported in the same vehicle with material which is marked as or known to be foodstuffs, feeds, or any other material intended for consumption by humans or animals.

B. By amending subparagraph (a) (1) in § 177.860 to read as follows:

§ 177.860 Accidents or leakage; poisons.

(a) \* \* \*

(1) Leakage. A vehicle which has been used to transport material marked as or known to be poison, class A or B, must be inspected for contamination before reuse. A vehicle which has been contaminated must not be returned to service until such contamination has been removed. This subparagraph does not apply to vehicles used solely for transporting such poisons so long as they are used in that service.

IV. Part 103 of Title 14 would be amended as follows:

A. By amending § 103.35 in its entirety to read as follows:

§ 103.35 Special requirements for poisons.

(a) No operator of an aircraft may carry material marked as or known to be poison, class A or B, in the same cargo compartment of an aircraft with material which is marked as or known to be foodstuffs, feeds, or any other material intended for consumption by humans or animals.

(b) No person may operate an aircraft that has been used to transport material marked as or known to be poison, class A or B, unless, upon removal of such poisonous material, the compartment in which it was carried is inspected for leakage, spillage, or other contamination. All contamination discovered must be either isolated or removed from the aircraft. The operation of an aircraft contaminated with such poisons is considered to be the carriage of poisonous materials under paragraph (a) of this section.

[F.R. Doc. 69-5522; Filed, May 7, 1969; 8:50 a.m.]

# [ 49 CFR Part 177 ]

[Docket No. HM-24; Notice No. 69-13]

## EXPLOSIVES ON VEHICLES IN COMBINATION

### Notice of Proposed Rule Making

The Hazardous Materials Regulations Board is considering amending § 177.835 (c) of the Department's Hazardous Materials Regulations to permit class A explosives to be transported on one vehicle of a combination of motor vehicles

when certain other hazardous materials are transported in another vehicle of the same combination.

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received on or before June 10, 1969, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

Section 177.835(c) (1) of the Hazardous Materials Regulations presently provides in part as follows:

No class A explosive may be loaded into or transported on any vehicle in any combination of vehicles if any vehicle in the same combination contains any explosive or other dangerous article which may not be loaded or stored with explosives class A under the provisions of § 177.848.

Section 177.848 contains a chart which indicates that a number of hazardous materials are prohibited from being loaded or transported in the same vehicle with class A explosives.

The Hazardous Materials Regulations Board has received two petitions requesting a relaxation of the complete prohibition quoted above. One petitioner states in support of this proposal that its adoption will permit expedited shipper-to-user service greatly reducing public exposure to small shipments of explosives which, at the present time, are frequently found being held at carriers' terminals or freight houses awaiting other compatible freight to provide economical loads. Another petitioner states that since there would be two vehicles involved, even though in combination, they could be easily and quickly detached from each other.

Several types of hazardous materials present potential hazards of a degree sufficient to warrant exclusion from this proposal. Examples include initiating explosives, certain radioactive materials, poisons, and bulk liquid shipments of hazardous materials. The presence of these materials could result in a greater hazard to the public than would be acceptable, either as contributors to the accident potential, or as additional hazards to the environment following accidents.

It is also proposed to revise the first portion of paragraph (c) to state simply the present restriction on the number of vehicles permitted in a combination of vehicles when class A explosives are to be carried in the combination.

In consideration of the foregoing, it is proposed to amend paragraph (c) in § 177.835 as follows:

§ 177.835 Explosives.

(c) Explosives on vehicles in combination. Class A explosives may not be



loaded into or carried on any vehicle of a combination of vehicles if:

- (1) More than two cargo carrying vehicles are in the combination;
- (2) Any full trailer in the combination has a wheel base of less than 184 inches;
- (3) Any vehicle in the combination is a tank motor vehicle which is required to be marked or placarded under § 178.823, or
- (4) Any other type of vehicle in the combination is loaded with any:
  - (i) Initiating explosive,
  - (ii) Packages of radioactive materials bearing "Yellow III" labels,
  - (iii) Class A and B poisons, or
  - (iv) Hazardous materials in a portable tank or a DOT specification 106A or 110A tank.

This proposal is made under the authority of sections 831-835 of title 18, United States Code and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on May 5, 1969.

F. C. TURNER,  
Administrator,  
Federal Highway Administration.

[F.R. Doc. 69-5523; Filed, May 7, 1969;  
8:50 a.m.]

#### Office of the Secretary

[49 CFR Part 71]

[OST Docket No. 24; Notice 69-4]

#### STANDARD TIME ZONE BOUNDARIES Proposed Relocation of Mountain- Pacific Standard Time Zone Bound- ary in the State of Nevada

The Legislature of Nevada, by a Joint Resolution approved by the Governor, has petitioned the Department of Transportation to amend § 71.8 of Title 49 of the Code of Federal Regulations to re-define the boundary line between the Pacific and mountain time zones so as to include White Pine and Lincoln Counties in the mountain time zone.

Under the current regulation, the entire State of Nevada is in the Pacific time zone. The eastern boundary of Nevada, with the western boundaries of the States of Utah and Arizona, is the boundary line between the Pacific and mountain time zones for that area.

The petition requests the change on the grounds that the residents of White Pine and Lincoln Counties "are deeply involved commercially with the residents of Utah counties bordering Nevada" and that "to place Lincoln and White Pine Counties in a time zone different from the commercial areas with which they deal will impose a hardship on the residents of such counties, restrict and strain certain business transactions and create confusion".

Under the time zone Act originally enacted in 1918 (15 U.S.C. 261) as amended by the Uniform Time Act of 1966 (15 U.S.C. 260 et seq.), the Secretary of Transportation is authorized to modify the limits of time zones having regard

for "the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate and foreign commerce". Before taking final action to adopt, deny, or modify the proposed boundary which the petition requests, the Secretary of Transportation will consider the timely comments of all interested persons. Communications should identify the regulatory docket or notice number (see above) and be submitted to the: Docket Clerk, Office of the General Counsel, Department of Transportation, 800 Independence Avenue SW., Washington, D.C. 20590.

Communications received on or before June 30, 1969, will be considered before final action is taken on the petition. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

In consideration of the foregoing, it is proposed to amend § 71.8 (b) and (c) of Title 49 of the Code of Federal Regulations to read as follows:

#### § 71.8 Boundary line between mountain and Pacific zones.

(b) *Utah-Nevada.* Beginning at the intersection of the Utah-Nevada boundary with the southern boundary of the State of Idaho; thence south along the Utah-Nevada boundary to the intersection of the northern boundary of White Pine County, Nev., with the Utah-Nevada boundary; thence west along the northern boundary of White Pine County to the northwest corner of White Pine County; thence southerly along the western boundary of White Pine County to the northern boundary of Lincoln County; thence south, west, and south along the boundary of Lincoln County to the southwest corner of Lincoln County; thence east along the southern boundary of Lincoln County to the Nevada-Arizona boundary.

(c) *Nevada-Arizona.* Beginning at the intersection of the southern boundary of Lincoln County, Nev., with the Nevada-Arizona boundary; thence south along the western boundary of the State of Arizona to the boundary between the United States and Mexico.

This proceeding does not concern adherence to or exemption from advanced (daylight saving) time. The Uniform Time Act of 1966 requires observance of advanced time within each established time zone from 2 a.m. on the last Sunday in April to 2 a.m. on the last Sunday in October of each year, but permits any State to exempt itself from this requirement, by law applicable to the entire State. No political subdivision of a State may prescribe a time that is inconsistent with this requirement. The Department of Transportation has no administrative authority with respect to this matter.

This proposal is issued under the authority of the Act of March 19, 1918, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267), section 6(e) (5) of the Department of Transportation Act (49 U.S.C. 1655(e) (5)), and Appendix A

to Part 5 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 5).

Issued in Washington, D.C., on May 2, 1969.

R. TENNEY JOHNSON,  
Acting General Counsel.

[F.R. Doc. 69-5501; Filed, May 7, 1969;  
8:48 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-8593]

### DISCLOSURE OF CREDIT TERMS IN MARGIN TRANSACTIONS

#### Notice of Proposed Rule Making

The Securities and Exchange Commission announced that it has released for comment a rule under section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") which would require broker-dealers who extend credit to customers to finance securities transactions to furnish specified information with respect to the amount of and reasons for the credit charges.

The Truth in Lending Act, as passed by Congress, specifically exempts from its disclosure requirements broker's margin loans to customers. In Senate Report No. 392 (June 29, 1967), which accompanied the Senate bill, the Senate Committee on Banking and Currency noted:

The committee has been informed by the Securities and Exchange Commission that the Commission has adequate regulatory authority under the Securities Exchange Act of 1934 to require adequate disclosure of the cost of such credit. The committee has also been informed in a letter from the SEC that "the Commission is prepared to adopt its own rules to whatever extent may be necessary."

In recommending an exemption for stock-broker margin loans in the bill, the committee intends for the SEC to require substantially similar disclosure by regulation as soon as it is possible to issue such regulations.

The Report of the House Committee on Banking and Currency also refers to Commission authority to require disclosure under the Federal securities laws. It is in response to this mandate that Rule 10b-16 (17 CFR 240.10b-16) is being proposed. Proposed Rule 10b-16 (17 CFR 240.10b-16) would be adopted under the provisions of the Securities Exchange Act of 1934, and more particularly sections 10(b) and 23(a).

The proposed rule sets forth two types of disclosure, an initial disclosure when the account is opened and a periodic statement thereafter whenever there is activity in the account. Initial disclosure provisions are designed to insure that the investor, before his account is opened, understands the terms and conditions under which charges will be made. The periodic statement should enable the investor to accurately assess the actual



cost of credit and to understand the computations involved.

Paragraph (a)(1) of Proposed Rule 10b-16 (17 CFR 240.10b-16). Initial Disclosure Requirements:

The stated purpose of the Truth in Lending statute is "to assure a meaningful disclosure of credit terms so that the consumer will be able to compare more readily the various credit terms available to him and avoid the uninformed use of credit." At present the standard form of customer's agreement, which many firms require margin customers to execute, generally includes only the following disclosure: "Debit balances of the accounts of the undersigned shall be charged with interest, in accordance with your usual custom and with any increases in rates caused by money market conditions, and with such other charges as you may make to cover your facilities and extra services."

Under paragraph (a)(1) of the proposed rule the investor opening a new margin account would be entitled to receive, prior to execution of the initial margin transaction, disclosure of the following information: The initial rate of interest, the conditions under which an interest charge will be imposed, the method of computing the debit balance on which interest is to be charged, other credit charges which may be imposed, the nature of any interest or lien in property held as collateral by the broker-dealer, and the conditions under which additional security may be required. As part of this latter requirement, the broker or dealer would also be expected to disclose, if applicable, his practice with respect to "marking to the market." In addition, the broker would be required to state if the rate is subject to change without prior notice and the conditions under which it may be so changed. Where margin accounts are carried on a disclosed basis by another broker who is extending the credit, he would be responsible for seeing that the required disclosure is made.

Two of the items under paragraph (a)(1) of this rule require specificity in the disclosure. If the rate of interest is subject to change without notice, the broker must specify the particular conditions under which it may be changed. This provision is intended principally to deal with the general practice in the industry whereby interest rates charged on margin accounts change with shifts in call money rates. In addition, the broker must describe with particularity any other credit charges which may be imposed and the method of determining these charges. Included are such items as minimum charges, various service charges and activity charges.

Paragraph (a)(2) of Proposed Rule 10b-16 (7 CFR 240.10b-16). Periodic Disclosure Requirements:

Under the Truth in Lending law, periodic statements are required at the end of each "billing cycle" for open end accounts. Because of the nature of margin accounts, regular periodic payments

are not required and, therefore, there is no equivalent to the "billing cycle." However, in other respects, the margin account is in effect "open end" and periodic statements will assure that the investor is kept abreast of the transactions in his account. Paragraph (a)(2) of the rule requires this type of statement to be furnished on any account in which there was an interest or other finance charge imposed during the period.

A quarterly statement period has been chosen. It is felt that such a period will not cause undue hardship on the firm and will keep the customer adequately informed. It is the same period as that applied by the Commission in Rule 15c3-2 (17 CFR 240.15c3-2) under the Securities Exchange Act of 1934, requiring quarterly notices of the use of free credit balances. It is also the frequency provided for by those exchanges which by rule require statements to customers. Those firms which at present furnish monthly statements could, of course, continue this practice.

Under paragraph (a)(2), the statements would have to show the debits and credits to the margin account during the period as well as the opening and closing balances. The customer would also be informed of the total interest charge and the figures on which the charge is based, namely the interest rate and the debit balance. Where the interest rate remains the same but the interest is computed more than once during the statement period and a different debit balance is used in each calculation, no objection would be raised if, when appropriate, an average balance for the entire period is shown. In addition to the interest charge, the rule would require specific disclosure of all other charges related, directly or indirectly, to the extension of credit during the period.

The proposed rule would also require that the customer be notified, in advance, of changes in the terms or conditions under which credit charges can be made, unless the changes are made in accordance with specific terms previously disclosed to the customer in the initial statement provided for in paragraph (a)(1) of the rule, or unless they are required by law.

Pursuant to the Securities Exchange Act of 1934, particularly sections 10(b) and 23(a) thereof, the Commission proposes to amend Part 240 of Chapter II of Title 17 of the Code of Federal Regulations by adding thereto a new section 240.10b-16. The text of the new sections will read as follows:

**§ 240.10b-16 Disclosure of credit terms in margin transactions.**

(a) It shall be unlawful for any broker or dealer to extend credit, directly or indirectly, to any customer in connection with any securities transaction unless such broker or dealer has established adequate procedures pursuant to which each customer to whom credit is extended or is to be extended will receive the following:

(1) An initial written statement at the time of opening the account (or within 90 days after the effective date of this section, in any case in which credit is being extended at that time), disclosing: The conditions under which an interest charge will be imposed and the initial annual rate of interest to be charged; if this rate of interest is subject to change without prior notice, the specific conditions under which it may be so changed; the method of computing the debit balance on which interest is to be charged (if no credit is to be given for credit balances in cash accounts, this should be stated); a specific statement as to each additional credit charge, if any, to be imposed, and the conditions under which it will be imposed; the nature of any interest or lien retained by the broker-dealer in the security or other property held as collateral by the broker-dealer; the conditions under which additional collateral may be required; and

(2) A statement, at least quarterly, for each account in which credit was extended, showing the following: The balance at the beginning of the period, the date and amount of each debit and credit during the period with a brief description of the nature of the item, and the closing balance; the total interest charge during the period, itemized to show the annual interest rate or rates charged and the debit balance or balances on which each interest calculation was based (or where appropriate, the average balance on which the interest calculation was based, provided that a separate average balance must be computed for each interest rate applied); all other charges related to the extension of credit in that account; and the fact (if applicable) that the interest rate is subject to change at any time.

(b) It shall be unlawful for any broker or dealer to make any changes in the terms and conditions under which credit charges will be made (as described in the initial statement made under paragraph (a) of this section), unless the customer shall have been given not less than thirty (30) days written notice of such changes, except that no such prior notice shall be necessary where such changes are required by law.

(Secs. 10(b) and 23(a), 48 Stat. 891, 901, as amended, 49 Stat. 1379; 15 U.S.C. 78j, and 78w)

All interested persons are invited to submit their views and comments on the Commission's proposed rule to the Securities and Exchange Commission, Washington, D.C. 20549, on or before June 1, 1969. All comments will be available for public inspection.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

MAY 2, 1969.

[F.R. Doc. 69-5489; Filed, May 7, 1969; 8:47 a.m.]



# Notices

## DEPARTMENT OF THE TREASURY

### Comptroller of the Currency INSURED BANKS

#### Joint Call for Report of Condition

CROSS REFERENCE: For a document relating to a joint call for report of condition of insured banks, see F.R. Doc. 69-5480, Federal Deposit Insurance Corporation, *infra*.

#### Office of the Secretary

### CONCORD GRAPES FROM CANADA

#### Determination of Sales at Less Than Fair Value

APRIL 29, 1969.

Information was received on September 18, 1967, that Concord grapes from Canada were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

A. "Withholding of Appraisement Notice" issued by the Commissioner of Customs was published in the FEDERAL REGISTER of October 25, 1967.

After consideration of all information received and views and argument presented, I hereby determine that for the reasons stated below Concord grapes from Canada are being, or likely to be, sold at less than fair value within the meaning of section 201(a) of the Act.

Statement of reasons on which this determination is based: Importations to the United States were pursuant to arms-length transactions between firms not related within the meaning of section 207 of the Antidumping Act. Since two types of producers market the subject merchandise in Canada, producers selling to licensed processors under the Farm Products Marketing Act, and producers who sell on the open market, purchase price was compared with the applicable adjusted home market price for identical or similar merchandise, as appropriate.

Calculation of the adjusted home market price of both identical and similar merchandise was made on the basis of the delivered price to processors. With respect to identical merchandise, adjustment was made for a cost factor for rejected loads incurred in sales in Canada but not on sales to the United States. With respect to similar merchandise, in addition to the adjustment for rejected merchandise, allowance was also made for differences in the cost of producing the similar merchandise in Canada as compared with the cost of producing the merchandise exported to the United States.

Purchase price was computed on the basis of the f.o.b. United States destination per ton price, from which the ap-

plicable included United States duty was deducted.

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

[SEAL] EUGENE T. ROSSIDES,  
Assistant Secretary of the Treasury.  
[F.R. Doc. 69-5528; Filed, May 7, 1969;  
8:51 a.m.]

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. B-459]

#### LOUIS BUFALO

#### Notice of Loan Application

MAY 2, 1969.

Louis Bufalo, 4200 Central Avenue, Sea Isle City, N.J. 08243, has applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 55-foot length over-all wood vessel to engage in the fishery for whiting, cod, flounders, porgy, sea bass, and industrial fish.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

RUSSELL T. NORRIS,  
Assistant Director  
for Resource Development.  
[F.R. Doc. 69-5481; Filed, May 7, 1969;  
8:47 a.m.]

#### Bureau of Indian Affairs

### ASSISTANT AREA DIRECTOR (ADMINISTRATION) AND ASSISTANT AREA DIRECTOR (EDUCATION) JUNEAU AREA OFFICE, ALASKA

#### Redelegation of Authority

1. The Assistant Area Director (Administration) and Assistant Area Direc-

tor (Education), Bureau of Indian Affairs, Juneau Area Office, are hereby authorized to severally exercise all the power and authority of the Area Director, Juneau Area Office, as delegated by the Commissioner of Indian Affairs in 10 BIAM 3.

2. In the absence of the Area Director, Assistant Area Director (Administration), and Assistant Area Director (Education), persons authorized to act in their stead may exercise any and all authority conferred upon him by the Commissioner of Indian Affairs.

3. Delegation of authority included herein is not construed as depriving the Area Director of the authority conferred upon him by the Commissioner of Indian Affairs.

4. The effective date of this delegation will be the date of signature by the Area Director.

Dated: April 23, 1969.

CHARLES A. RICHMOND,  
Area Director, Bureau of Indian  
Affairs, Juneau Area Office,  
Juneau, Alaska.

Approved:

ROBERT L. BENNETT,  
Commissioner of Indian Affairs.  
[F.R. Doc. 69-5482; Filed, May 7, 1969;  
8:47 a.m.]

### Bureau of Land Management WASHINGTON

#### Notice of Filing of Plat

MAY 1, 1969.

1. Plat of survey of the land described below will be officially filed in the Public Records, Portland, Oreg., effective at 10 a.m., June 6, 1969.

WILLAMETTE MERIDIAN

T. 34 N., R. 2 W.,  
Sec. 10, two unnamed islands and Buck Island;  
Sec. 14, four unnamed islands and Secor Island;  
Sec. 15, two unnamed islands and Hall Island;  
Sec. 22, Hall Island;  
Sec. 23, one unnamed island and Iceberg Island.

The areas described aggregate 9.03 acres.

2. The character of these islands varies from barren rock to a scattering of grasses, undergrowth and juniper.

3. One island is withdrawn to the Fish and Wildlife Service for a national Wildlife Refuge and the remaining islands are leased to the State of Washington under the authority of the recreation and public purposes act.

VIRGIL O. SEISER,  
Chief, Branch of Lands.  
[F.R. Doc. 69-5483; Filed, May 7, 1969;  
8:47 a.m.]



# DEPARTMENT OF COMMERCE

Business and Defense Services  
Administration

## GEORGIA INSTITUTE OF TECHNOLOGY

### 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. 69-00266-90-46070. Applicant: Georgia Institute of Technology, 225 North Avenue NW., Atlanta, Ga. 30332. Article: Scanning electron microscope, Model Stereoscan Mark II A. Manufacturer: Cambridge Instruments Co., Ltd., United Kingdom. Intended use of article: The article will be used for education and research in biology, solid state physics and electronics, textiles, metallurgy, and ceramics. The education objectives are to familiarize students of different disciplines with a method investigation which will lead to results not obtainable by other techniques. The instrument will be of great importance for the following research projects: (1) frictional properties of cotton fibers; (2) studies in stress corrosion cracking; (3) interface phenomena in engineering materials; (4) neutron diffraction studies of tooth components and crystal growth supplement to neutron diffraction studies of tooth components. 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 the article is intended to be used, was being manufactured in the United States at the time the applicant placed the order for the foreign article. (See copy of applicant's purchase order dated May 17, 1968.) Reasons: The foreign article has a guaranteed resolution of 250 angstroms or better. The only known scanning electron microscope available at the time the applicant placed the order for the foreign article, was the "Ultrascan SM-1" which is manufactured by the K Square Corp. (K Square). The "Ultrascan SM-1" has a guaranteed resolution of 500 angstroms or better. (The lower the numerical rating in terms of angstrom units, the better the resolution.) We are advised by the National Bureau of Standards (memorandum dated Mar. 3, 1969) that the additional resolving power available in the foreign article is necessary to the accomplishment of the purposes for which the for-

eign article is intended to be used. Therefore, the additional resolving power is a pertinent characteristic. For this reason, we find that the K Square "Ultrascan SM-1" 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 such purposes as this article is intended to be used, which was being manufactured in the United States and was available to the applicant within a reasonable time at the time the applicant placed the order for the foreign article.

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

[F.R. Doc. 69-5436; Filed, May 7, 1969;  
8:45 a.m.]

## NORTHWESTERN UNIVERSITY

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00255-33-46040. Applicant: Northwestern University, Cresap Biology Laboratory, Evanston, Ill. 60201. Article: Electron Microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for both educational and research purposes. Educational use will include a course in submicroscopic morphology—a four credit one quarter course offered to graduate students.

The following research projects will be carried out using the electron microscope:

- (i) Ultrastructure of the synaptosomal complex in premelotic cells of the egg chamber of *Drosophila melanogaster*.
- (ii) Ultrastructure of the skin of the lamprey eel.
- (iii) Fine Structure and Reconstruction of the Nucleolus in wild type and the singed mutant of *Drosophila melanogaster*.
- (iv) Ultrastructure of the Foot Pad Cells of *Sarcophaga bullata* and *Musca domestica* during cuticle formation.
- (v) Ultrastructural analysis of mitotic patterns in the developing egg chamber of the fes mutant of *Drosophila melanogaster*.
- (vi) Ultrastructural changes in insect nervous systems during metamorphosis.

(vii) Cytology of the Vitellogenic stages of oogenesis in *Drosophila melanogaster*.

(viii) Ultrastructure of the synaptosomal complex in *Drosophila virilis*.

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, was being manufactured in the United States at the time the applicant placed the order for the foreign article. (See purchase order of applicant dated June 17, 1968.) Reasons: The applicant requires an electron microscope for instruction in a course in submicroscopic morphology. This involves the examination of unfixed and unstained biological specimens for which the optimum contrast is obtained with a 25 kilovolt accelerating voltage. The only known comparable electron microscope being manufactured in the United States and available to the applicant at the time the foreign article was ordered, was the Model EMU-4 produced by the Radio Corporation of America (RCA). The RCA Model EMU-4 provided only 50 and 100 kilovolt accelerating voltages. We are advised by the Department of Health, Education, and Welfare (HEW) that the 25 kilovolt accelerating voltage is necessary to the accomplishment of the purposes for which the foreign article is intended to be used and, therefore, is a pertinent characteristic. For this reason, we find that the RCA Model EMU-4 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 such purposes as this article is intended to be used, which was being manufactured in the United States and available to the applicant at the time the foreign article was ordered.

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

[F.R. Doc. 69-5457; Filed, May 7, 1969;  
8:45 a.m.]

## SLIPPERY ROCK STATE COLLEGE 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. 69-00472-33-46040. Applicant: Slippery Rock State College, Slippery Rock, Pa. 16057. Article: Electron microscope, Model JEM-T7, JEM-ACS-2 anti-contamination device, and No. 1701 Wray binocular. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used by a central teaching facility which will allow training of professional and technical personnel in the preparation and interpretation of electron micrographs of biological material. This training will enable the biologists to obtain more structural information at the cellular level than is currently obtained from light microscopy. Application received by Commissioner of Customs: March 17, 1969.

Docket No. 69-00518-33-46040. Applicant: University of Iowa, College of Dentistry, Dental Research Laboratory (Oakdale), Iowa City, Iowa 52240. Article: Electron microscope, Model Elmiskop 51. Manufacturer: Siemens AG, West Germany. Intended use of Article: The article is intended to be used for controlling experimental procedures and for educational purposes in biological research projects in the academic disciplines of medicine and dentistry. The outlines or projects in progress are as follows:

A. Fast processing of experiments and preparation procedures in ultrastructural fixation of nervous tissue.

B. Checking of preparation procedures in aerosol particle counts from dental drilling.

C. Fast processing of staining procedures for biological ultrastructure.

D. Training of postgraduate and graduate students in biological ultrastructure.

Application received by Commissioner of Customs: April 7, 1969.

Docket No. 69-00522-99-46040. Applicant: Loyola University, 6525 North Sheridan Road, Chicago, Ill. 60626. Article: Electron microscope, Model JEM-50. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used by selected students from courses in Micro-

biology, Histology, and Embryology. A highly sophisticated electron microscope presently on hand is not suitable for initial training of undergraduate students. Application received by Commissioner of Customs: April 9, 1969.

Docket No. 69-00534-33-46040. Applicant: Washington University, Department of Biology, St. Louis, Mo. 63130. Article: Electron microscope, Model Elmiskop 1A. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used primarily for high resolution studies of cell ultrastructure in conjunction with thin sectioning, negative staining, and shadowing techniques. Studies include the ultrastructure of sperm flagella and correlating differences in ultrastructure with differences in locomotory patterns. Resolving the substructure of sperm flagella, necessary for these analyses, requires an instrument which is capable of extremely high resolution. The article will also be used for studies concerning meiotic cell division in the fungus gnat *Sciara*. Application received by Commissioner of Customs: April 15, 1969.

Docket No. 69-00535-33-46500. Applicant: Texas A. & M. University, College of Veterinary Medicine, Department of Veterinary Pathology, College Station, Tex. 77843. Article: Ultramicrotome, Model Reichert SIDEA "OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of Article: The article will be used for serial sectioning tissue in uniform thickness of about 50 angstroms for study under the electron microscope. This is in connection with study concerning the developmental pathogenesis of cytoplasmic membranous inclusions in neurons for experimental and spontaneous cerebrospinal lipodystrophies. Application received by Commissioner of Customs: April 15, 1969.

Docket No. 69-00539-99-46040. Applicant: California State College, Hayward, 25800 Hillary Street, Hayward, Calif. 94542. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for teaching and instruction. Simplicity of operation and the short training period required for the article will make it ideal for teaching. It will be necessary for students of limited background to be trained in the techniques of electron microscopy within a few weeks. The article will also be used for graduate research in the fine structure of biological or geological material. Application received by Commissioner of Customs: April 17, 1969.

Docket No. 69-00540-01-77040. Applicant: State University of New York at Albany, 1400 Washington Avenue, Albany, N.Y. 12203. Article: Mass spectrometer, Model MS 902. Manufacturer: Associated Electrical Industries, United Kingdom. Intended use of article: The article will be used to obtain mass spectra at both high and low resolution, and to help solve a wide variety of chemical and biological problems. Typical applications of the instrument will include structure determination of a wide variety of na-

tural products, including compounds showing significant mammalian toxicity; structure determination of a wide variety of organic and inorganic reaction products and intermediates and studies of the decomposition of organic ions using metastable ions as a key technique. Application received by Commissioner of Customs: April 17, 1969.

Docket No. 69-00541-01-77040. Applicant: University of Wyoming, Department of Chemistry, Box 3838 University Station, Laramie, Wyo. 82070. Article: Mass spectrometer, Model CH-5. Manufacturer: Varian/Mat GmbH, West Germany. Intended use of article: The article will be used as a research instrument in graduate programs involving problems in organic, inorganic, and physical chemistry. Some of the intended applications are as follows:

a. Structure studies of high molecular weight metal-polypeptide complexes and alkaloids.

b. Identification of components of complex mixtures resulting from photochemical reactions by mass spectrometry-gas chromatography combination.

c. Structure studies on unstable organometallic compounds.

d. Studies of deuterium isotope effects and reaction mechanisms of organic compounds, requiring precise relative abundance measurements.

e. Measurement of metastable ions, appearance potentials, pyrolysis studies and ion structure studies.

Application received by Commissioner of Customs: April 17, 1969.

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

[F.R. Doc. 69-5458; Filed, May 7, 1969; 8:45 a.m.]

## UNIVERSITY OF TEXAS

### 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. 69-00316-00-00530. Applicant: University of Texas, M.D., Anderson Hospital and Tumor Institute, Houston, Tex. 77025. Article: Microwave linear accelerator components. Manufacturer: Compagnie General Telegraphie, Sans Fil, France. Intended use of article: The articles will be incorporated as components of a high energy



medicallinac for radiotherapy in accordance with specification prepared and issued by the applicant. Comments: Comments have been received from Varian Associates (Varian) which note that the applicant's reply to question 10 of the application states that both Varian and one other domestic manufacturer had offered instruments that met the applicant's specifications and further, that these domestic instruments were rejected because their respectively quoted prices were higher than the price quoted by the lowest bidder. (See Varian's comments dated Feb. 11, 1969, and applicant's reply to question 10.) Decision: Application denied. Foreign articles are not eligible for duty-free entry under either tariff item 851.60 or 851.65. Reasons: (1) Section 6(c) (1) of the above-cited Act provides for duty-free entry of

Articles entered for the use of any non-profit institution, whether public or private, established for educational or scientific purposes:

851.60 Instruments and apparatus, if no instrument or apparatus of equivalent scientific value for the purposes for which the instrument or apparatus is intended to be used is being manufactured in the United States (see headnote 6 to this part). \* \* \*

851.65 Repair components for instruments or apparatus admitted under item 851.60. \* \* \*

The foreign articles are components intended for incorporation in a linear accelerator that is being constructed in the United States by a domestic manufacturer which was awarded the contract for construction of the accelerator because its bid was lower than that quoted by other domestic manufacturers for linear accelerators that met the applicant's specifications. The low bidder is constructing the accelerator according to a design originally developed by a foreign affiliate of the low bidder, which is furnishing the components to which the application relates. The major portion of the overall component needs is being manufactured in the United States by the low bidder. The operative language of the statute and of the regulations issued under its authority both speak in terms of complete instruments or apparatus, and accessories and components for such instruments or apparatus that have been entered duty-free under tariff item 851.60. Neither the statute nor the reports of the House Committee on Ways and Means (Report No. 1779, 89th Congress) and the Senate Committee on Finance (Report No. 1678, 89th Congress) speak of components for instruments or apparatus being manufactured in the United States, although such instruments or apparatus are intended for the use of nonprofit institutions established for educational or scientific purposes. (2) We note that in answer to question 10 of the application, the applicant states that bids of two domestic manufacturers were rejected on the basis of cost although these bids were technically feasible and met the applicant's specifications. Hence, the record shows

that at least two manufacturers were willing and able to produce an apparatus of equivalent scientific value to that which is being constructed by a third domestic manufacturer in accordance with § 602.1(f) (2) of above-cited regulations, without the need for specialized foreign components. (3) We also note that the applicant's reply to question 7 states that the domestic manufacturer to which the contract was awarded "has the capability to manufacture the CFS [Compagnie Generale de Telegraphie Sans Fil] portions however, in order to insure optimum performance and timely delivery these more specialized components were subcontracted to CSF."

For the foregoing reasons, we find that the specialized components to which the application relates are not eligible for duty-free entry under tariff item 851.60 within the purview of headnote 6 to part 4, schedule 8 of the Tariff Schedules of the United States.

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

[F.R. Doc. 69-5459; Filed, May 7, 1969;  
8:45 a.m.]

### Maritime Administration

[Report No. 96]

### LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through April 28, 1969, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

#### FLAG OF REGISTRY AND NAME OF SHIP

	Gross tonnage
Total, all flags (175 ships) ..	1,254,114
British (48 ships) ..	385,567
Antarctica ..	8,785
Arctic Ocean ..	8,791
Athelcrown (tanker) ..	11,149
Athelalred (tanker) ..	11,150
Athelmonarch (tanker) ..	11,182
Avisfaith ..	7,868
Baxtergate ..	8,813
Changpaishan ..	8,929
Cheung Chau ..	8,566
Chiang Klang ..	10,481
East Sea ..	9,679
Eastfortune ..	8,789
Eastglory ..	8,995
Fortune Enterprise ..	7,696
Hemisphere ..	8,718
Ho Fung ..	7,121
Huntsland ..	9,353
Huntville ..	9,486
Inch Stuart ..	7,043

#### FLAG OF REGISTRY AND NAME OF SHIP

	Gross Tonnage
British—Continued	
**Jeb Lee (trip to Cuba as the Garthdale—British) ..	7,542
Jollity ..	8,819
**Kall Elpis (trip to Cuba as the Ardmore—British) ..	4,664
**Kelso (trip to Cuba as the Ardgem—British) ..	6,981
Kinross ..	5,388
Magister ..	2,239
**Meadow Court (trip to Cuba as the Ardrossmore—British) ..	5,820
Nancy Dee ..	6,597
Nebula ..	8,907
Newglade ..	7,368
Newheath ..	7,643
Newmont ..	7,151
Oceanramp ..	6,185
Oceantravel ..	10,419
Peony ..	9,037
Red Sea (previous trip to Cuba as the Grosvenor Mariner—British) ..	7,026
**Rosetta Maud (trips to Cuba as the Ardarn—British) ..	5,795
Ruthy Ann ..	7,361
Sea Amber ..	10,421
*Sea Captain ..	7,385
Sea Coral ..	10,421
Sea Empress ..	9,841
Seasage ..	4,330
**Shun Wah (trip to Cuba as the Vercharman—British) ..	7,265
Southgate (previous trips to Cuba as the Arlington Court—British) ..	9,662
**Tetrarch (trips to Cuba as the Ardowan—British) ..	7,300
Venice ..	8,611
Vergmont ..	7,381
Yunglutaton ..	5,414
Cypriot (37 ships) ..	269,779
Acme ..	7,173
Aegis Hope (previous trips to Cuba as the Huntsmore—British) ..	5,678
Akmeon (tanker) ..	11,105
Alda ..	7,292
Alice (previous trips to Cuba—Greek) ..	7,189
Amitha (previous trip to Cuba as the Antonia—Greek) ..	5,171
Angeliki ..	8,482
Anka ..	7,314
Apollonian ..	7,229
Areti (previous trips to Cuba—Lebanese) ..	7,176
Claire (previous trips to Cuba—Lebanese) ..	5,411
Coolady ..	2,867
Degedo ..	9,000
Dolphin ..	3,550
Dorine Papalios (previous trips to Cuba as the Formentor—British) ..	8,424
E. D. Papalios ..	9,431
El Toro ..	5,949
Free Navigator (previous trips to Cuba as the Newdene—British) ..	7,165
Free Trader (previous trips to Cuba—Lebanese) ..	7,061
Glee ..	7,237
Huntsfield (previous trips to Cuba—British) ..	9,483
Johnny ..	9,689
Katerina (previous trips to Cuba—Lebanese) ..	9,357
Kounistra (previous trips to Cuba as the Nicolaos Frangistas and the Nicolaos F.—Greek) ..	7,199

See footnotes at end of document.



FLAG OF REGISTRY AND NAME OF SHIP		FLAG OF REGISTRY AND NAME OF SHIP		FLAG OF REGISTRY AND NAME OF SHIP	
	Gross tonnage		Gross tonnage		Gross tonnage
Cypriot—Continued		Greek—Continued		Guinean (1 ship)-----	
Marika (previous trip to Cuba—Lebanese)-----	7,290	**Paralos (trip to Cuba as the Agios Therapon—Greek)-----	7,205	**Drame Oumar (trip to Cuba as the Neve—French)-----	852
Mery (previous trips to Cuba—Greek)-----	7,258	Redestos-----	5,911		
Newforest (previous trips to Cuba—British)-----	7,189	Sophia-----	7,030		
Newgate (previous trips to Cuba—British)-----	6,743	Panamanian (6 ships)-----	41,713	Japanese (1 ship)-----	8,627
**Newlane (trips to Cuba—British)-----	7,043	**Ampuria (trips to Cuba as the Roula Maria—Greek)-----	10,608	Chokyu Maru-----	8,627
Newmoor (previous trips to Cuba—British)-----	7,168	**Avranchoise (trips to Cuba as the Avranches—French)-----	7,199	Pakistani (1 ship)-----	8,708
Olga (previous trips to Cuba—Lebanese and Greek)-----	7,265	**Renown Trader (trips to Cuba as the Suva Breeze—British)-----	4,996	**Maulabakh (trip to Cuba as the Phoenician Dawn and East Breeze—British)-----	8,708
Protokritos-----	6,154	**Robertina (trips to Cuba as the Anacreon—Greek)-----	6,935		
Suerte-----	7,267	**Tynlee (trip to Cuba as the Ardenode—British)-----	7,036	Singapore (1 ship)-----	6,854
Sunrise (previous trips to Cuba as the Anatoli—Greek)-----	7,216	**Yu Lee (trips to Cuba as the Dairen—British)-----	4,939	**Rama Lesmana (trip to Cuba as the Glaisdale—British)-----	6,854
Tina (previous trips to Cuba—Greek)-----	7,362				
Vassiliki (previous trips to Cuba—Lebanese)-----	7,192	Yugoslav (7 ships)-----	46,150	SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:	
Venturer-----	9,000	Agrum-----	2,449	(a) That such vessels will not, thenceforth, be employed in the Cuban trade so long as it remains the policy of the U.S. Government to discourage such trade; and	
Polish (21 ships)-----	150,590	Bar-----	8,776	(b) That no other vessel under their control will thenceforth be employed in the Cuban trade, except as provided in paragraph (c); and	
Baltyk-----	6,984	Kolasin-----	7,217	(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuban trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.	
Bialystok-----	7,173	Piva-----	7,519		
Bytom-----	5,967	Piod-----	3,657		
Chopin-----	9,231	Subicevac-----	9,033		
Chorzow-----	7,237	Tara-----	7,499		
Energetyk-----	10,876				
Grodzlec-----	3,379	French (6 ships)-----	19,316		
Huta Florian-----	7,258	**Atlanta (trip to Cuba as the Ence—French)-----	1,232		
Huta Labedy-----	7,221	Circe-----	2,874		
Huta Ostrowiec-----	7,179	Foulaya-----	3,739		
Huta Zgoda-----	6,840	Mungo-----	4,820		
Hutnik-----	10,847	Nelee-----	2,874		
Kopalnia Bobrek-----	7,221	Penja-----	3,777		
Kopalnia Oziada-----	7,252				
Kopalnia Miechowice-----	7,223	Somali (6 ships)-----	37,746		
Kopalnia Siemianowice-----	7,165	Aragon-----	7,248		
Kopalnia Wujek-----	7,033	Aria-----	5,059		
Narwik-----	7,065	**Atlas (trip to Cuba—Finnish)-----	3,916		
Plast-----	3,184	Erato (previous trips to Cuba as the Eretria—Greek)-----	7,199		
Rejowiec-----	3,401	Stevo (previous trips to Cuba—Lebanese)-----	7,066		
Transportowiec-----	10,854	Thios Costas-----	7,258		
Lebanese (12 ships)-----	84,610				
Antonia-----	6,259	Italian (4 ships)-----	33,275		
Astir-----	5,324	Elia (tanker)-----	11,021		
Atticos-----	7,257	San Francesco-----	9,284		
Clannis-----	5,270	Santa Lucia-----	9,278		
Georgos Tsakiroglou-----	7,240	Somalia-----	3,692		
Ilena-----	5,925				
Marichristina-----	7,124	Moroccan (4 ships)-----	32,746		
Mousse-----	9,307	Atlas-----	10,392		
Noelle-----	7,251	Marrakech-----	3,214		
Tony-----	7,176	Mauritanie-----	10,392		
Toula-----	6,426	Toubkal-----	8,748		
Yanxilas-----	10,051				
Greek (12 ships)-----	85,207	Finnish (3 ships)-----	20,966		
**Aegis Luck—(tanker) (trip to Cuba as the Captain Papalios—Cypriot)-----	11,676	Augusta Paulin-----	7,096		
**Aliartos (trip to Cuba as the Loradore—British)-----	8,078	Ragni Paulin-----	6,823		
Andromachi (previous trips to Cuba as the Penelope—Greek)-----	6,712	Verna Paulin-----	7,047		
**Anna Maria (trips to Cuba as the Helka—British)-----	2,111	Maltese (3 ships)-----	19,793		
Barbarino-----	7,084	Ispahan-----	7,169		
Eftychia-----	9,844	Soclyve (previous trips to Cuba—British)-----	7,291		
**Gold Land (trip to Cuba as the Amfred—Swedish)-----	2,838	Timios Stavros (previous trips to Cuba—British and Greek)-----	5,333		
Irena-----	7,232				
**Lambros M. Patsis (trips to Cuba as the La Hortensia—British)-----	9,486	Netherlands (2 ships)-----	1,615		
		Meike-----	500		
		Tempo-----	1,115		

See footnotes at end of table.

SEC. 3. The following number of vessels have been removed from this list, since they have been broken up, sunk, or wrecked.



## a. Since last report:

	Gross tonnage	Flag of registry:	Broken up, sunk or wrecked
Antonia II (Cypriot)	7,281	Monaco	1
Athelmere (British)	7,524	Moroccan	1
Chung Thal (Panamanian)	3,352	Norwegian	1
		Pakistan	1
		Panamanian	2
		South African	2
		Swedish	1
		Yugoslav	6
		Total	101

## b. Previous reports:

Flag of registry:	Broken up, sunk or wrecked
British	15
Cypriot	18
Finnish	2
French	1
Greek	13
Italian	4
Lebanese	31
Maltese	2

Sec. 4. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through April 28, 1969.

Flag of registry	Number of trips												Total
	1968						1969						
	1963	1964	1965	1966	1967	Jan. thru Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	
British	133	180	126	101	78	53	5	4	2	3	4	2	691
Lebanese	64	91	68	25	16	13	1	2			1	1	272
Greek	99	27	23	27	29	6		1					212
Cypriot		1	17	27	42	57	4	7	6	7	4	4	176
Italian	16	20	24	11	11	8		2	1	1		1	95
Yugoslav	12	11	15	10	14	7	1	1			1	1	73
French	8	9	9	10	10	3	1		1		1		52
Finnish	1	4	5	11	12	6	2						41
Spanish	8	17											25
Norwegian	14	10											24
Moroccan	9	13	1					1					23
Maltese		2	6	1	4	7	1	2	1	1		3	21
Somali					2	8							10
Netherlands		4	2										6
Swedish	3	3											6
Kuwaiti		2	1										3
Israeli			2										2
Japanese	1					1							2
Danish	1												1
German (West)	1												1
Italian			1										1
Haitian				1									1
Monaco					1								1
Subtotal	370	394	290	224	218	169	15	20	11	12	11	12	1,745
Polish	18	16	12	10	11	7							74
Grand total	388	410	302	234	229	176	15	20	11	12	11	12	1,820

NOTE: Trip totals in this section exceed ship totals in sections 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data becomes available.

\*Added to Rept. No. 95, appearing in the FEDERAL REGISTER issue of March 29, 1969.

\*\*Ships appearing on the list which have made no trips to Cuba under the present registry.

Dated: May 1, 1969.

By order of the Maritime Administrator.

JOHN M. O'CONNELL,  
Assistant Secretary.

[F.R. Doc. 69-5533; Filed, May 7, 1969; 8:51 a.m.]

## HOFFMANN-LA ROCHE, INC.

## Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (41-740V) has been filed by Hoffmann-La Roche, Inc., Nutley, N.J. 07110, proposing the establishment of a food additive regulation (21 CFR Part 121) to provide for the safe use of a combination drug containing sulfadimethoxine and ormetoprim (2,4-diamino-5-[4,5-dimethoxy-2-methylbenzyl] pyrimidine) with arsanilic acid or 3-nitro-4-hydroxyphenylarsonic acid in the feed of broiler chickens (1) for prevention of certain bacterial diseases (infectious coryza and E. coli infections) and coccidiosis, (2) for growth promotion and feed efficiency, and (3) for improving pigmentation.

Dated: May 2, 1969.

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

[F.R. Doc. 69-5478; Filed, May 7, 1969; 8:46 a.m.]

## 2,4-DICHLOROPHENYL p-NITROPHENYL ETHER

## Notice of Reinstatement of Temporary Tolerances

The Rohm and Haas Co., Independence Mall West, Philadelphia, Pa. 19105, was granted temporary tolerances for residues of the herbicide 2,4-dichlorophenyl p-nitrophenyl ether in or on the raw agricultural commodities collards, kale, mustard greens, and turnip greens at 0.75 part per million, and alfalfa at 0.05 part per million that expired February 9, 1969.

The petitioner has requested a reinstatement of the temporary tolerances for these commodities, and the Commissioner of Food and Drugs has determined that such reinstatement will protect the public health.

A condition under which these temporary tolerances are reinstated is that the herbicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture.

These reinstated temporary tolerances expire April 29, 1970.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: April 29, 1969.

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

[F.R. Doc. 69-5479; Filed, May 6, 1969; 8:47 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Food and Drug Administration

## AMERICAN CYANAMID CO.

## Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 9B2404) has been filed by American Cyanamid Co., Wayne, N.J. 07470, proposing that § 121.2592 Rosins and rosin derivatives (21 CFR 121.2592) be amended to provide for the safe use of

glycerol ester of tall oil rosin in the manufacture of articles or components of articles intended for use in contact with food. The petition proposes that the glycerol ester of tall oil rosin be identified for the purpose of the proposed amendment as having an acid number of 5 to 12, as determined by ASTM Method D 465-59; a softening point of 80° C.-88° C., as determined by ASTM Method E 28-67; and a color of N or paler, as determined by ASTM Method D 509-55.

Dated: April 30, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-5477; Filed, May 7, 1969; 8:46 a.m.]



## ATOMIC ENERGY COMMISSION

[Docket No. 50-286]

### CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. (INDIAN POINT NUCLEAR GENERATING UNIT 3)

#### Order Confirming Reconvening of Hearing on May 13, 1969 and Des- ignating Place To Be at Spring Vale Inn, Crueger, N.Y.

On May 2, 1969, the hearing in this proceeding was recessed to reconvene on May 13, 1969. The place designated on May 2d was the Buchanan, N.Y., Fire Hall in view of the indicated unavailability of the Spring Vale Inn auditorium where the hearings have been held. On May 5, 1969, space arrangements were completed which render the auditorium in the Spring Vale Inn available on May 13, 1969. This auditorium appears to be suitable for the requirements of the number of and the access by the persons participating and attending this hearing.

Wherefore, it is ordered, Pursuant to the Atomic Energy Act, as amended, and the Rules of Practice of the Commission, the hearing in this proceeding, as ordered by the Commission, shall resume and reconvene at 10 a.m., on May 13, 1969, in the Spring Vale Inn auditorium, Crueger, N.Y.

All communication media are requested to transmit the information of the date and place of this resumed hearing, so that the public may be fully informed.

Issued: May 5, 1969 at Germantown, Md.

ATOMIC SAFETY AND LICENS-  
ING BOARD,  
SAMUEL W. JENSCH,  
Chairman.

[P.R. Doc. 69-5555; Filed, May 7, 1969;  
8:51 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 20970; Order 69-5-18]

### AERO SPECIAL AIR FREIGHT

#### Order of Investigation and Suspen- sion Regarding Increased Valua- tion Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of May 1969.

By tariff revision<sup>1</sup> marked to become effective May 7, 1969, Carl K. Sparks, doing business as Aero Special Air Freight (Aero), a freight forwarder, proposes to increase its excess valuation rate for air freight shipments. The proposal would increase such rates from 15 cents to 25 cents for each \$100 (or fraction thereof) by which the declared value exceeds 50 cents per pound or \$50 per shipment, whichever is higher. The for-

warder does not present any justification in support of its proposal.

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

Aero's proposal involves increasing its excess valuation rate by approximately 67 percent, but no basis has been advanced for the proposed rise.<sup>2</sup> With relatively few exceptions, air freight forwarders publish excess valuation rates for general domestic traffic amounting to 10 or 15 cents per \$100 of declared value in excess of 50 cents per pound, subject to a minimum of \$50 per shipment.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof.

#### It is ordered, That:

1. An investigation be instituted to determine whether the provisions and charge in Rule No. 70(b) on 1st Revised Page 11 of Carl K. Sparks doing business as Aero Special Air Freight's CAB No. 1, and rules, regulations, and practices affecting such provisions and charge, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions and charge, and rules, regulations, or practices affecting such provisions and charge;

2. Pending hearing and decision by the Board, the provisions and charge in Rule No. 70(b) on 1st Revised Page 11 of Carl K. Sparks doing business as Aero Special Air Freight's CAB No. 1 are suspended and their use deferred to and including August 4, 1969, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated;

<sup>1</sup> Cf., "Increased valuation and c.o.d. charges proposed by Railway Express Agency, Incorporated," 27 C.A.B. 542 (1958). The Board, after investigation, found REA's proposed increases in excess valuation and c.o.d. charges unjust and unreasonable chiefly on the ground that REA had failed to sustain the burden of coming forward with evidence to show what the increased costs of such services were. In similar actions, the Board suspended, pending investigation (1) increased excess valuation charges proposed by REA (Order E-13820, May 1, 1959); (2) revision to its liability rule for parcel post shipments proposed in 1965 by WTC (Order E-22846, Nov. 4, 1965); (3) increased excess valuation charges proposed by Bekins Airvan Co. (Order E-23746, May 27, 1966); (4) increased excess valuation rates for parcel post shipments proposed by WTC Air Freight (Order 69-2-10, Feb. 3, 1969); and (5) increased excess valuation rates proposed by Astro Air Express, Inc., and Comet Air Freight (Order 69-4-26, Apr. 4, 1969).

4. A copy of this order shall be filed with the tariff and served upon Carl K. Sparks doing business as Aero Special Air Freight, which is hereby made a party to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL]

MABEL McCART,  
Acting Secretary.

[P.R. Doc. 69-5514; Filed, May 7, 1969;  
8:50 a.m.]

[Docket No. 20966; Order 69-5-8]

### BRITISH EAGLE INTERNATIONAL AIRLINES LTD.

#### Statement of Tentative Findings and Conclusions and Order To Show Cause Regarding Cancellation of Foreign Air Carrier Permit

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 2d day of May 1969.

By Order E-26348, served February 14, 1968, the Board issued a foreign air carrier permit to British Eagle International Airlines Limited (Eagle Airlines), an air carrier of the United Kingdom of Great Britain and Northern Ireland, to engage in various types of charter foreign air transportation. It is our understanding that Eagle Airlines has ceased operations and that its operating authority granted by the United Kingdom Air Transport Licensing Board has lapsed.

Accordingly, the Board tentatively finds and concludes that it is in the public interest to cancel Eagle Airlines' foreign air carrier permit.

#### Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order which would make final the tentative findings and conclusions herein and which would, subject to the approval of the President, cancel the foreign air carrier permit held by British Eagle International Airlines Limited;

2. Any interested persons having objection to the issuance of such an order shall file with the Board a statement of objections supported by evidence within 20 days of service of this order;

3. If timely and properly supported objections are filed, further consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. Copies of this order shall be served upon the following: British Eagle International Airlines Ltd.; and the Ambassador of the Government of the United Kingdom.

<sup>1</sup> Since provision is made for response to this order, petitions for reconsideration of this order will not be entertained.

<sup>1</sup> Revisions to Aero Special Air Freight's Tariff CAB No. 1.



This order will be published in the  
FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 69-5515; Filed, May 7, 1969;  
8:50 a.m.]

[Docket No. 18650; Order 69-5-13]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Cargo Matters

Issued under delegated authority on  
May 5, 1969.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA), and adopted at the First Meeting of the Cargo Traffic Procedures Committee.

The agreement, among other things, would amend IATA resolutions relating to air waybills by (1) clarifying that charges made by a carrier for the preparation of air waybills may be assessed upon either a shipper or a consignee, and (2) altering the conditions of contract printed on the reverse side of air waybill forms so as to refer shippers to a carrier's conditions of carriage for a determination of whether or not carriage is international and therefore subject to liability limitations established by the Hague Protocol to the Warsaw Convention. Additionally, the agreement includes a new resolution which provides that a charge may be assessed, the amount to be determined at the Athens IATA Cargo Conference which convened in April, for the amendment of an air waybill at the request of a shipper or his agent after the dispatch of a consignment from the airport of departure.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14:

1. It tentatively not found that the following resolutions, which are incorporated in the agreements indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB	IATA resolutions
20884, R-1-----	101(CTPC)512d. 201(CTPC)512d. 301(CTPC)512d. JT12(1)(CTPC)512d. JT23(1)(CTPC)512d. JT31(1)(CTPC)512d. JT123(1)(CTPC)512d.
20884, R-3-----	201(CTPC)512c. 301(CTPC)512c. JT12(1)(CTPC)512c.

2. It is tentatively not found that the following resolutions, incorporated in the agreement indicated, are adverse to the public interest or in violation of the Act; *Provided*, That, insofar as air transportation as defined by the Act is concerned, such approval shall be subject to the following condition:

Agreement CAB	IATA resolutions
20884, R-4-----	101(CTPC)600b. 201(CTPC)600b. 301(CTPC)600b.

*Provided*, That the level of charges established pursuant to these resolutions shall be filed with and approved by the Board prior to being placed into effect.

*Accordingly*, it is ordered, That: Action on Agreement CAB 20884, R-1, R-3, and R-4, be and hereby is deferred with a view toward eventual approval, subject to the condition stated in finding paragraph 2.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulation, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the  
FEDERAL REGISTER.

[SEAL] MABEL MCCART,  
Acting Secretary.

[P.R. Doc. 69-5516; Filed, May 7, 1969;  
8:50 a.m.]

[Docket No. 20967; Order 69-5-9]

## TRANSGLOBE AIRWAYS LTD.

### Statement of Tentative Findings and Conclusions and Order To Show Cause Regarding Cancellation of Foreign Air Carrier Permit

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of May 1969.

By Order 68-9-145, served September 30, 1968, the Board issued a foreign air carrier permit to Transglobe Airways Limited (Transglobe), an air carrier of the United Kingdom of Great Britain and Northern Ireland, to engage in various types of charter foreign air transportation. It is our understanding that Transglobe has ceased operations and that its operating authority granted by the United Kingdom Air Transport Licensing Board has lapsed.

*Accordingly*, the Board tentatively finds and concludes that it is in the public interest to cancel Transglobe's foreign air carrier permit.

*Accordingly*, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order which would make final the tentative findings and conclusions herein and which would, subject to the approval of the President, cancel the foreign air carrier permit held by Transglobe Airways Limited;

2. Any interested persons having objection to the issuance of such an order shall file with the Board a statement of objections supported by evidence within 20 days of service of this order;<sup>1</sup>

3. If timely and properly supported objections are filed, further consideration will be accorded the matters and issues

<sup>1</sup> Since provision is made for response to this order, petitions for reconsideration of this order will not be entertained.

raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. Copies of this order shall be served upon the following: Transglobe Airways Limited; and the Ambassador of the Government of the United Kingdom.

This order will be published in the  
FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 69-5517; Filed, May 7, 1969;  
8:50 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Report 438]

### COMMON CARRIER SERVICES INFORMATION<sup>1</sup>

#### Domestic Public Radio Services Ap- plications Accepted for Filing<sup>2</sup>

MAY 5, 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.

<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).



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 pro-

visions governing the time for filing and other requirements relating to such pleadings.

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

## APPENDIX

## APPLICATIONS ACCEPTED FOR FILING

## DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No.; applicant; call sign; and nature of application

- 6324-C2-P-69—Dakota Radio Paging, Inc.; (New); C.P. for a new 1-way-signaling station. Frequency: 152.24 MHz. Location: 18th and Balmston Avenues, Sioux Falls, S. Dak.
- 6325-C2-P-69—Dakota Radio Paging, Inc.; (KQK777); C.P. to change antenna location from 805 North Main Avenue, Sioux Falls, S. Dak. To: 18th and Balmston Avenues, Sioux Falls, S. Dak., operating on base frequency 152.03 MHz.
- 6326-C2-TC-69—Citizens Telephone Co.; (K1Y762); Consent to transfer of control from Sam A. George, Transferor to Mid-Continent Telephone Corp., Transferee, (2-way station at Lexington, S.C.)
- 6327-C2-P-69—Southern Bell Telephone & Telegraph Co.; (K1F654); C.P. to install an additional channel to operate on base frequency 152.69 MHz at its station located at 81 St. Phillip Street, Charleston, S.C., and add frequency 157.95 MHz for test, test location same as base.
- 6328-C2-P-69—West Texas Telephone Co.; (K1B503); C.P. to change antenna system, replace transmitters operating on base frequencies 152.54 and 152.78 MHz also correct station coordinates. Location: 4.7 miles northeast of Barstow (4.687' east of intersection of Highways Nos. 80 and 283, Pecos Tex.).
- 6329-C2-P-69—Roco, Inc.; (New); C.P. for a new 2-way station. Frequency: 152.18 MHz. Location: Mount Alto, Rome, Ga.
- 6330-C2-P-69—Bluegrass Radio-telephones; (New); C.P. for a new 1-way-signaling station. Frequency: 152.24 MHz. Location: 119 Stone Road, Lexington, Ky.
- 6331-C2-P-69—Chapman Radio & Television Co.; (K1F650); Consent to assignment of license from William A. Chapman and George K. Chapman, Transferees to Alrsignal International, Inc., Assignee, (1-way-station at Birmingham, Ala.)
- 6332-C2-P-69—Chapman Radio & Television Co.; (K1B983); Consent to assignment of license from William A. Chapman and George K. Chapman, Transferees to Alrsignal International, Inc. (1-way station at Atlanta, Ga.).
- 6333-C2-P-69—The Redco Corp. and Roy M. Teel and Lowry McKee doing business as Mobilphone; (K1F944); C.P. to install control facilities to operate on frequencies 454.15 and 454.30 MHz at location No. 1: south of Highway 31, 1.1 mile east of Krebs, Okla., and install a repeater station at a site to be identified as location No. 2: Buffalo Mountain, 8 miles west of Talihina, Okla., to operate on frequencies 459.15 and 459.30 MHz.
- 6334-C2-ML-69—The Redco Corp. and Roy M. Teel and Lowry McKee doing business as Mobilphone; (K1A341); Modification of license to change base frequency 152.03 MHz to 152.18 MHz at location No. 3: Buffalo Mountain, 8 miles west of Talihina, Okla.
- 6335-C2-P-69—Chalbardun Telephone Cooperative, Inc.; (K1S755); C.P. to change antenna system and replace transmitter operating on frequency 152.63 MHz at its station located 2 miles northeast of Cameron, Wis.
- 6336-C2-P-69—Chalbardun Telephone Cooperative, Inc.; (K1S756); C.P. to change antenna location from 3 miles north of Sand Creek, Wis., to approximately 3¼ miles north of Sand Creek, Wis., and replace transmitter operating on base frequency 152.75 MHz.
- 6337-C2-P-69—Radio Relay Corp.; (K1C745); C.P. to replace transmitters operating on frequency 43.23 MHz at the following locations: Location No. 1: 135 Eastern Parkway, Brooklyn, N.Y., location No. 2: 29-23 41st Avenue, Long Island City, N.Y., location No. 3: 1047 Beach 21st Street, Far Rockaway, N.Y., location No. 4: Jerusalem Avenue, west of Wantagh Avenue, North Wantagh, N.Y., location No. 5: 67-00 192d Street, Flushing, N.Y., location No. 6: 3000 Bronx Park East, Bronx, N.Y., location No. 7: 135 St. Andrews Lane, Glen Cove, N.Y., location No. 8: northwest corner of 34th Street and Seventh Avenue, New York, N.Y., and location No. 9: 400 Benedict Avenue, Tarrytown, N.Y., also change emission designator to 15F2.

## DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

- 6338-C2-P-69—Beasley and Carlson, Inc.; (K1Y588); C.P. to install an additional channel to operate on base frequency 152.21 MHz at its station located at Industrial Bank Building, Savannah, Ga.
- 6339-C2-P-69—Western California Telephone Co.; (New); C.P. for a new 2-way station. Frequencies: 454.45 and 454.60 MHz. Location: 15900 San Jose Avenue, Los Gatos, Calif.
- 6340-C2-P-69—Answerlite Professional Telephone Service; (New); C.P. for a new 1-way-signaling station. Frequency: 152.240 MHz. Location: 841 North Florida Avenue, Lakeland, Fla.
- 6341-C2-P-69—James D. and Lawrence D. Garvey, doing business as Radiophone; (K1K049); C.P. to install an additional channel to operate on base frequency 454.25 MHz at its station located corner O'Keefe and Howard Streets, New Orleans, La.
- 6342-C2-P-69—AAA Answerphone, Inc.—Jackson; (New); C.P. for a new 2-way station. Frequency: 152.15 MHz. Location: WCBI-TV Tower, Highway No. 12, approximately 4 miles north-northeast of center of Columbus, Miss.
- 6343-C2-P-69—Carolina Telephone & Telegraph Co.; (K1F939); C.P. to install an additional channel to operate on base frequency 152.54 MHz at its station located 401 West Fifth Street, Greenville, N.C.
- 6344-C2-P-69—New England Telephone & Telegraph Co.; (K1C472); C.P. to change antenna system operating on base frequency 152.69 MHz at its station located Garrison Hill, Dover, N.H.
- 6345-C2-P-69—John E. Taylor, doing business as Selective Paging; (New); C.P. for a new 1-way-signaling station. Frequency: 158.70 MHz. Location: 107 Delaware Avenue, Buffalo, N.Y.
- 6346-C2-P-69—General Telephone Co. of the Southeast; (New); C.P. for a new 1-way-signaling station. Frequency: 152.24 MHz. Locations: Location No. 1: 380' northeast of east end of McGill Place, Durham, N.C. Location No. 2: Intersection of Austin Avenue and U.S. 54, Lowes Grove, N.C.
- 6347-C2-P-69—General Telephone Co. of the Southeast; (New); C.P. for a new 1-way station. Frequencies: 152.24 and 152.78 MHz. Location: 380' northeast of the east end of McGill Place, Durham, N.C.
- 6348-C2-P-69—Jerry D. Vaughan; (New); C.P. for a new 2-way station. Frequencies and locations: Location No. 1: Walker Mountain near Clermont, Ga., base frequency 454.250. Location No. 2: 719 Broad Street, Gainesville, Ga. (Control) on 459.250 MHz. Renewal of licenses expiring April 1, 1969. Term: April 1, 1969, to April 1, 1974.

## Licensee, State, and call sign

Radio Dispatch Service, Alabama, K1J352.  
Radio Communications Service, Georgia, K1J349.

## Major Amendment

6349-C2-P-69—Bertha C. Mathews doing business as Mathews Telephone answering service; Application amended to read: C.P. to change frequency 35.58 MHz to 158.70 MHz. All other particulars remain same as reported on public notice dated Apr. 21, 1969. Report No. 436.

## POINT-TO-POINT MICROWAVE RADIO SERVICE

## Major Amendment

5463-C1-P-69—Ohio Bell Telephone Co.; Major amendment to change operating frequencies from 6137.9 and 11135 MHz to 6108.3 and 10,935 MHz. All other particulars same as reported in public notice dated Mar. 24, 1969.

## RURAL RADIO SERVICE

6355-C1-P/L-69—The Mountain States Telephone & Telegraph Co.; (New); C.P. and license for a new rural subscriber fixed station. Frequency: 158.07 MHz. Subscriber and location: Espy Ranch, 13.6 miles south-southwest of Rawlins, Wyo.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CABLES)

2318-C1-R-69—The Pacific Telephone & Telegraph Co.; (K1Q44); Renewal of Developmental station license expiring May 29, 1969. Term May 29, 1969, to May 29, 1970.

86-C1-R-69—Hawaiian Telephone Co.; (K1U93); Renewal of Developmental station license expiring May 23, 1969. Term May 23, 1969, to May 23, 1970.



## NOTICES

## POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)—continued

Northwestern Bell Telephone Co.; Renewal of licenses expiring May 27, 1969. Term: May 27, 1969, to May 27, 1970. Stations: KYN36, KYN37, and KYN38.

6330-C1-P-69—New York Telephone Co.; (KEK36); C.P. to add frequencies 6226.9, 6330.7, 6430.0 and 11,285 MHz toward new point of communication Smartville, N.Y., at its station located 2.5 miles east of Amboy Center, N.Y.

6331-C1-P-69—New York Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 6019.3, 6123.1, 6152.8, 10,755.0, 10,975.0 MHz. Location: 3 miles northeast of Smartville, N.Y.

6332-C1-P-69—New York Telephone Co.; (New); C.P. for a new fixed station. Frequency: 8375.2 MHz. Location: 3.8 miles northeast of Barnes Corners, N.Y.

6333-C1-P-69—New York Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 11,345.0, 11,465.0, 11,635.0, 11,865, and 6801.0 MHz. Location: 2.5 miles west-northwest of Adams Center, N.Y.

6334-C1-P-69—New York Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 10,895.0, and 11,655.0 MHz. Location: 170 Stone Street, Watertown, N.Y.

American Telephone & Telegraph Co.; Thirteen (13) C.P.'s to construct an additional pair of type TD-3 telephone channels on the Adams-Roanoke-Houston, Tex., radio relay route and on the branch route between Roanoke and Fort Worth, Tex., as follows:

6368-C1-P-69—American Telephone & Telegraph Co.; (KKN23); Add frequency 3870 MHz toward Arcola, Tex., at its station located 1407 Jefferson Street, Houston, Tex.

6367-C1-P-69—American Telephone & Telegraph Co.; (KZA41); Add 3910 MHz toward Houston and toward Rosenberg, Tex., at station located 2.1 miles northwest of Arcola, Tex.

6368-C1-P-69—American Telephone & Telegraph Co.; (KZA40); Add frequencies 3870 MHz toward Arcola and toward Pattison, Tex., at its station located 1.8 miles west of Rosenberg, Tex.

6369-C1-P-69—American Telephone & Telegraph Co.; (KZA39); Add 3910 MHz toward Rosenberg, Tex., and toward Independence, Tex., at station located 8.6 miles north of Pattison, Tex.

6370-C1-P-69—American Telephone & Telegraph Co.; (KZA38); Add 3870 MHz toward Pattison and Caldwell, Tex., at station located 1.9 miles east of Independence, Tex.

6371-C1-P-69—American Telephone & Telegraph Co.; (KZA37); Add 3910 MHz toward Independence, Tex., and toward Hammond, Tex., at station located 10 miles north of Caldwell, Tex.

6372-C1-P-69—American Telephone & Telegraph Co.; (KZA36); Add 3870 MHz toward Caldwell, Tex., and toward Riesel, Tex., at station located 0.5 mile west of Hammond, Tex.

6373-C1-P-69—American Telephone & Telegraph Co.; (KZA35); Add 3910 MHz toward Hammond, Tex., and toward West, Tex., at station located 2.4 miles east-southeast of Riesel, Tex.

6374-C1-P-69—American Telephone & Telegraph Co.; (KZA34); Add 3870 MHz toward Riesel, Tex., and toward Itasca, Tex., at station located 1 mile north of West, Tex.

6375-C1-P-69—American Telephone & Telegraph Co.; (KZA33); Add 3910 MHz toward West, Tex., and toward Kennedale, Tex., at station located 2.4 miles east of Itasca, Tex.

6376-C1-P-69—American Telephone & Telegraph Co.; (KY292); Add 3870 MHz toward Itasca, Tex., and toward Roanoke, Tex., at station located 3 miles south-southeast of Kennedale, Tex.

6377-C1-P-69—American Telephone & Telegraph Co.; (KY291); Add 3910 MHz toward Kennedale, Tex., Fort Worth, Tex., and toward Adams, Tex., at its station located 4.9 miles northwest of Roanoke, Tex.

6378-C1-P-69—American Telephone & Telegraph Co.; (KKH66); Add 3950 MHz toward Roanoke, Tex., at its station located at Adams, 3.5 miles northeast of Frisco, Tex.

6379-C1-P/MI-69—Southwestern Bell Telephone Co.; (KIT67); C.P. and modification of license to add frequency 6112.5 MHz toward a new point of communication KIXT-TV, Lubbock, Tex., at its station located 1408 Broadway, Lubbock, Tex.

6390-C1-MP-69—Indiana Bell Telephone Co.; (KSN76); Modification of C.P. to change frequency 6204.7 MHz to 6382.6 MHz directed toward Frankfort, Ind., at station located 0.28 mile southeast of Lebanon, Ind.

6391-C1-MP-69—Indiana Bell Telephone Co.; (KSN77); Modification of C.P. to change frequency 5852.6 MHz to 6130.5 MHz directed toward Lebanon, Ind., at station located 0.5 mile north of Frankfort, Ind.

6406-C1-P-69—Communications Satellite Corp.; (New); C.P. for a new fixed station. Frequencies: 11,265, 11,525, and 11,835 MHz. Location: East of Talkeetna, Alaska.

6407-C1-P-69—Communications Satellite Corp.; (New); C.P. for a new fixed station. Frequencies: 6003.8, 6093.45, 6123.1, 6775, 8815, 8855 MHz. Location: 1.6 Km. west of Twelvemile Lake, Alaska.

6408-C1-P-69—Communications Satellite Corp.; (New); C.P. for a new fixed station. Frequencies: 6365, 6675, 6995, 10,755, 10,915, 11,075 MHz. Location: 9.5 Km. west of Talkeetna, Scotty Lake, Alaska.

6409-C1-P-69—Illinois Bell Telephone Co.; (KVU30); C.P. to change point of communication from north of Centralia, Ill. (KSN56), to Centralia, Ill., for frequencies 8226.9 and 10,765 MHz, at station located 0.5 mile north-northwest of St. Rose, Ill.

6410-C1-P-69—Illinois Bell Telephone Co.; (KVH79); C.P. to change point of communication from north of Centralia, Ill. (KSN56), to Centralia, Ill., for frequencies 6390.0, 6271.4 MHz and add frequencies 6360.3 and 10,795 MHz toward same point at its station located 0.7 mile south of Vandalia, Ill.

6411-C1-P-69—Illinois Bell Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 6103.3, 11,525 MHz, 5960.0, 5974.8, and 11,685 MHz (relocated from KSN56), Location: 211 North Oak Street, Centralia, Ill.

2306-C2-R-69—The Mountain States Telephone & Telegraph Co.; (KAR88); Renewal of developmental station license expiring June 1, 1969. Term: June 1, 1969, to June 1, 1970.

6421-C1-P-69—South Central Bell Telephone Co.; (KJK52); C.P. to add frequencies 6204.7, 6323.8 MHz toward Hale Knob, Ky., at station located approximately 5.2 miles west-southwest of Mount Vernon, Ky.

6422-C1-P-69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 5945.2, 6004.5 MHz. Location: 9.5 miles north-northeast of Boone, Iowa.

6423-C1-P-69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 6197.2, 6258.5 MHz. Location: 1 mile south-southeast of Radcliffe, Iowa.

6424-C1-P-69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 5945.2, 5974.8, 6004.5, 6034.2 MHz. Location: 5 miles west-southwest of Hampton, Iowa.

6425-C1-P-69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 6197.2, 6226.9, 6256.5, 6286.2 MHz. Location: 3.5 miles east-northeast of Mason City, Iowa.

6426-C1-P-69—Northwestern Bell Telephone Co.; (New); C.P. for a new fixed station. Frequencies: 5945.2, 6004.5 MHz. Location: 118 First Street SE, Mason City, Iowa.

6427-C1-P-69—General Telephone Co. of the Southwest; (KLG23); Modification of C.P. to add frequencies 6323.3 and 6264.0 MHz toward a new point of communication Katemey, Tex., at its station located on old Mason Highway, 0.5 mile east from intersection of Highway No. 337 and old Mason Highway, Brady, Tex.

6428-C1-P-69—General Telephone Co. of the Southwest; (New); C.P. for a new fixed station. Frequencies: 5983.3, 6011.9, 6071.2, 6160.2, 10,755, and 11,075 MHz. Location: 4.2 miles south-southeast of Katemey, Tex.

6429-C1-P-69—General Telephone Co. of the Southwest; (New); C.P. for a new fixed station. Frequencies: 11,235, and 11,603 MHz. Location: 206 Broad Street, Mason, Tex.

6430-C1-P-69—General Telephone Co. of the Southwest; (New); C.P. for a new fixed station. Frequencies: 11,235, 11,645, 6234.3, 6412.2 MHz. Location: 0.5 mile east of Junction, Tex.

6431-C1-P-69—General Telephone Co. of the Southwest; (New); C.P. for a new fixed station. Frequencies: 10,795, 11,115 MHz. Location: 211 North 10th Street, Junction, Tex.

[F.R. Doc. 69-5632; Filed, May 7, 1969; 8:51 a.m.]



# FEDERAL DEPOSIT INSURANCE CORPORATION

## INSURED BANKS

### Joint Call for Report of Condition

Pursuant to the provisions of section 7(a)(3) of the Federal Deposit Insurance Act each insured bank is required to make a Report of Condition as of the close of business April 30, 1969, to the appropriate agency designated herein, within 10 days after notice that such report shall be made: *Provided*, That if such reporting date is a nonbusiness day for any bank, the preceding business day shall be its reporting date.

Each national bank and each bank in the District of Columbia shall make its original Report of Condition on Office of the Comptroller Form, Call No. 469,<sup>1</sup> and shall send the same to the Comptroller of the Currency, and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank which is a member of the Federal Reserve System, except a bank in the District of Columbia, shall make its original Report of Condition on Federal Reserve Form 105—Call 191,<sup>1</sup> and shall send the same to the Federal Reserve Bank of the district wherein the bank is located, and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, shall make its original Report of Condition on FDIC Form 64—Call No. 87,<sup>1</sup> and shall send the same to the Federal Deposit Insurance Corporation.

The original Report of Condition required to be furnished hereunder to the Comptroller of the Currency and a copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the preparation of Reports of Condition—First Call in 1969" and "Instructions for preparation of Reports of Condition by National Banking Associations," dated January 1961.<sup>1</sup> The original Report of Condition required to be furnished hereunder to the Federal Reserve Bank of the District wherein the bank is located and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the preparation of Reports of Condition by State Member Banks of the Federal Reserve System," dated April 1969.<sup>1</sup> The original Report of Condition required to be furnished hereunder to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Summary Instructions for the

preparation of Report of Condition on FDIC Form 64—Call No. 87—First Call in 1969" and with "Instructions for the preparation of Report of Condition on Form 64, by insured State banks not members of the Federal Reserve System," dated January 1961.<sup>1</sup>

Each insured mutual savings bank not a member of the Federal Reserve System shall make its original Report of Condition on FDIC Form 64 (Savings),<sup>1</sup> prepared in accordance with "Instructions for the preparation of Report of Condition on Form 64 (Savings) and Report of Income and Dividends on Form 73 (Savings) by Mutual Savings Banks," dated December 1962, and any amendments thereto,<sup>1</sup> and shall send the same to the Federal Deposit Insurance Corporation.

K. A. RANDALL,  
*Chairman, Federal Deposit Insurance Corporation.*

WILLIAM B. CAMP,  
*Comptroller of the Currency.*

J. L. ROBERTSON,  
*Vice Chairman, Board of Governors of the Federal Reserve System.*

[F.R. Doc. 69-5480; Filed, May 7, 1969; 8:47 a.m.]

## FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 1142]

### GRIEVE & MITCHEL SHIPPING, INC.

#### Order of Revocation

By letter dated April 26, 1969, Grieve & Mitchel Shipping, Inc., 107 Camp Street, New Orleans, La., returned Independent Ocean Freight Forwarder License No. 1142 to the Commission for cancellation and advised business as an Independent Ocean Freight Forwarder will be discontinued effective April 30, 1969.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order 201.1, section 6.03.

It is ordered, That the Independent Ocean Freight Forwarding License No. 1142 of Grieve & Mitchel Shipping, Inc., be and is hereby revoked effective April 30, 1969.

It is further ordered, That this cancellation is without prejudice to reapplication at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon the licensee.

LEROY F. FULLER,  
*Director,*  
*Bureau of Domestic Regulation.*

[F.R. Doc. 69-5518; Filed, May 7, 1969; 8:50 a.m.]

## LYKES BROS. STEAMSHIP CO., INC., AND SHUN CHEONG STEAM NAVIGATION CO., LTD.

### 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 agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. R. J. Finnan, Analyst Rates & Tariffs, Lykes Bros. Steamship Co., Inc., 821 Gravier Street, New Orleans, La.

Agreement No. 9624-4, between Lykes Bros. Steamship Co., Inc., and Shun Cheong Steam Navigation Co., Ltd., modifies the basic transshipment agreement between the parties by increasing Shun Cheong's portion of the through rates as specified therein.

Dated: May 5, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
*Secretary.*

[F.R. Doc. 69-5519; Filed, May 7, 1969; 8:50 a.m.]

## CITY OF LONG BEACH AND NATIONAL MOLASSES CO.

### 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 agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and

<sup>1</sup> Filed as part of original document.



San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Leslie E. Still, Jr., Deputy City Attorney,  
City of Long Beach, Suite 600, City Hall,  
Long Beach, Calif. 90802.

Agreement No. T-2153 between the City of Long Beach (City) and National Molasses Co. (National), as amended by Agreement No. T-2153-1, grants to National the right to use certain premises as a bulk liquid terminal, including the preferential assignment of wharf space. Use of the wharf by National and other users will be in accordance with applicable charges appearing in the Port of Long Beach Tariff. All charges which are assessed and retained by National for services rendered in connection with liquid bulk cargoes shall be subject to review by the City, and City reserves the right to disapprove any rate, charge, regulation, or practice of National in its terminal operations.

Dated: May 5, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-5520; Filed, May 7, 1969;  
8:50 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. RI69-721]

### FERGUSON OIL CO.

#### Order Accepting Contract Agreement, Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

MAY 1, 1969.

On April 7, 1969, Bill Ferguson, doing business as Ferguson Oil Co. (Operator) et al. (Ferguson),<sup>1</sup> tendered for filing a proposed change in his presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: (1) Letter Agreement, dated March 17, 1969.<sup>2</sup> (2) Notice of Change, dated April 3, 1969.

<sup>1</sup> Address is: 1505 Wichita Plaza Bldg., Wichita, Kans. 67202.

<sup>2</sup> Letter Agreement provides for buyer to pay seller 2 cents for compressing gas and for buyer to take up to 300 Mcf per day.

Purchaser and producing area: Panhandle Eastern Pipe Line Co. (Kingman County, Kans.).

Effective date: (1) April 7, 1969.<sup>3</sup> (2) April 7, 1969.<sup>4</sup>

Rate schedule designation: (1) Supplement No. 2 to Ferguson's FPC Gas Rate Schedule No. 6. (2) Supplement No. 3 to Ferguson's FPC Gas Rate Schedule No. 6. Amount of annual increase: \$331. Effective rate: 16 cents per Mcf.<sup>5</sup> Proposed rate: 18 cents per Mcf. Pressure base: 14.65 p.s.i.a.

Ferguson requests waiver of the statutory notice and the shortest possible suspension period if the Commission should suspend his proposed rate increase. In view of the circumstances involved in this case, we conclude that it would be in the public interest to waive, to the extent necessary, the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit Ferguson's notice of change to be suspended from April 7, 1969, the date of filing, and the contract amendment be accepted for filing to be effective as of April 7, 1969, the date of filing of the notice of change in rate.

Ferguson proposes a 2-cent increase in rate from 16 cents to 18 cents per Mcf, amounting to approximately \$331 annually, for a sale of gas to Panhandle Eastern Pipe Line Co. (Panhandle) from the No. 1 Freemer Well in Kingman County, Kans. The 2-cent increase to be paid by Panhandle is for Ferguson's compression of the gas above the original contract pressure. Ferguson's proposed 18-cent rate exceeds the increased rate ceiling for Kansas as announced in the Commission's statement of general policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56) and should be suspended. However, in these special circumstances, we conclude that it would be in the public interest to suspend Ferguson's rate increase for only 1 day from April 7, 1969, the date of filing.

Concurrently with the filing of his notice of change in rate, Ferguson submitted a letter agreement dated March 17, 1969, designated as Supplement No. 2 to Ferguson's FPC Gas Rate Schedule No. 6, which provides for the increased rate. We believe that it would be in the public interest to accept for filing Ferguson's proposed letter agreement to become effective as of April 7, 1969, the date of filing of the notice of change in rate, but not the proposed rate contained therein which is suspended as hereinafter ordered.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Ferguson's letter agreement dated March 17, 1969, design-

<sup>3</sup> The effective date for the contract amendment is the date of filing of the notice of change in rate.

<sup>4</sup> The effective date is the date of filing.

<sup>5</sup> Present rate is effective subject to refund in Docket No. RI69-637.

nated as Supplement No. 2 to Ferguson's FPC Gas Rate Schedule No. 6, and for permitting such supplement to become effective on April 7, 1969, the date of filing of Ferguson's notice of change in rate.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 3 to Ferguson's FPC Gas Rate Schedule No. 6 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Supplement No. 2 to Ferguson's FPC Gas Rate Schedule No. 6 is accepted for filing and permitted to become effective on April 7, 1969, the date of filing of Ferguson's notice of change in rate.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 3 to Ferguson's FPC Gas Rate Schedule No. 6.

(C) Pending such hearing and decision thereon, Supplement No. 3 to Ferguson's FPC Gas Rate Schedule No. 6 is hereby suspended and the use thereof deferred until April 8, 1969, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act: *Provided, however*, That the supplement to the rate schedule filed by Ferguson, as set forth above, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order, Ferguson shall execute and file under Docket No. RI69-721, with the Secretary of the Commission, its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon Panhandle Eastern Pipe Line Co., the purchaser. Unless Ferguson is advised to the contrary within 15 days from the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

<sup>6</sup> If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by Ferguson, then it would not be necessary for Ferguson to file an agreement and undertaking as provided herein. In such circumstances, Ferguson's proposed increased rate will become effective as of the expiration of the suspension period without any further action by Ferguson.



(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 13, 1969.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-5460; Filed, May 7, 1969;  
8:45 a.m.]

[Docket No. CP69-140]

## EL PASO NATURAL GAS CO.

### Notice of Petition To Amend

MAY 1, 1969.

Take notice that on April 24, 1969, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP69-140 a petition to amend the order issued in said docket on February 24, 1969, by requesting that location of the Compressor Station No. 5 be changed and the installation of turbocharging kits be at Compressor Station No. 6, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the aforementioned order, Petitioner was authorized to construct and operate certain facilities to increase the daily design delivery capacity of its Northwest Division Mainline System by approximately 50,000 Mcf per day. The construction of the Compressor Station No. 5 and the installation of the turbochargers at Compressor Station No. 4 were part of the authorized project.

Petitioner states that because of climatic conditions the original site of Compressor Station No. 5 would be accessible during the winter months only with great difficulty. Petitioner therefore proposes to relocate the site of the station approximately 5.5 miles upstream of the original site location.

Petitioner further states that, as a result of relocating Compressor Station No. 5, more effective utilization of horsepower available from turbocharging will be realized by installing turbocharging kits at its Compressor Station No. 6 in lieu of the authorized installation of such kits at Compressor Station No. 4.

No increase in cost is anticipated by Petitioner as a result of the relocation of Station No. 5 site. However, the proposed change in the turbocharging will result in an estimated net increase of \$277,415 in the total estimated project cost due to the differences in the compressor units now proposed to be turbocharged.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 29, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest 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 (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.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-5461; Filed, May 7, 1969;  
8:45 a.m.]

[Docket No. CP68-231]

## COLUMBIA OFFSHORE PIPELINE CO. AND COLUMBIA GULF TRANSMISSION CO.

### Notice of Petition To Amend

MAY 1, 1969.

Take notice that on April 22, 1969, Columbia Offshore Pipeline Co. (Columbia Offshore) and Columbia Gulf Transmission Co. (Columbia Gulf), Post Office Box 833, Houston, Tex. 77001, filed in Docket No. CP68-231 a petition to amend the order issued in that docket on March 6, 1969, by authorizing the construction and operation of transmission facilities between Pecan Island and Egan, La., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The Petitioners state that as a result of continued development of the engineering design of the proposed pipeline facilities from Egan to the Pecan Island Field, the facilities as originally proposed and certificated as Phase I in Docket No. CP68-231 on March 6, 1969, have been modified so that Petitioners now request authorization for 40.7 miles of 30-inch pipeline from Egan to the Pecan Island Area, a measuring station at that point, and supply lines from that point of the two delivery points in the Pecan Island Field, consisting of 4.4 miles of 18-inch pipeline and 2.7 miles of 16-inch pipeline.

The revised cost of the entire Egan-to-Pecan Island pipeline and appurtenant facilities is estimated to be \$11,891,100, as compared with \$12,951,500 estimated cost as shown in the applications in Dockets Nos. CP68-231 and CP69-121.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 29, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest 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.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-5462; Filed, May 7, 1969;  
8:45 a.m.]

[Docket No. CP69-274]

## CONSOLIDATED GAS SUPPLY CORP.

### Notice of Application

MAY 1, 1969.

Take notice that on April 22, 1969, Consolidated Gas Supply Corp. (Applicant), 445 West Main Street, Clarksburg, W. Va. 26301, filed in Docket No. CP69-274 an application pursuant to section 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain additional storage compressor facilities, all as more fully set forth in the subject application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate two additional 4,000 horsepower engines and related equipment at its existing Lightburn Compressor Station, which is used in the operation of its Fink-Kennedy Storage Pool in Harrison and Lewis Counties, W. Va.

Applicant states that the proposed development will enable it to cycle an estimated 6,700,000 Mcf of additional storage gas now required to be maintained as cushion gas in its Fink-Kennedy Storage Pool, without loss of storage deliverability at the end of winter withdrawal seasons. The application indicates that the proposed additional development, together with other pending storage development, is required to meet normal growth and increased storage service in its market.

Applicant further states that the total capacity of the Fink-Kennedy Storage Pool will remain unchanged, and, therefore, no additional gas supply is required in connection with the subject proposal and that no additional sales or services are proposed by the subject application.

The application indicates that the total estimated cost of the proposed project is \$2,861,336, which cost will be financed from funds on hand and from funds to be obtained from Applicant's parent corporation, Consolidated Natural Gas Co.

Any persons desiring to be heard or to make any protest with reference to said application should on or before May 28, 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. 69-5463; Filed, May 7, 1969;  
8:45 a.m.]

## FEDERAL RESERVE SYSTEM

### MARSHALL & ILSLEY BANK STOCK CORP.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Marshall & Ilsley Bank Stock Corp., which is a bank holding company located in Milwaukee, Wis., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of The Portage County Bank, Almond, Wis.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into

consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Chicago.

Dated at Washington, D.C., this 30th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
*Assistant Secretary.*

[F.R. Doc. 69-5465; Filed, May 7, 1969;  
8:45 a.m.]

### MARSHALL & ILSLEY BANK STOCK CORP.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Marshall & Ilsley Bank Stock Corp., which is a bank holding company located in Milwaukee, Wis., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of The People's Bank, Coloma, Wis.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views

regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Chicago.

Dated at Washington, D.C., this 30th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
*Assistant Secretary.*

[F.R. Doc. 69-5466; Filed, May 7, 1969;  
8:45 a.m.]

### MARSHALL & ILSLEY BANK STOCK CORP.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Marshall & Ilsley Bank Stock Corp., which is a bank holding company located in Milwaukee, Wis., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of Adams County State Bank, Adams, Wis.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Chicago.



Dated at Washington, D.C., this 29th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[P.R. Doc. 69-5467; Filed, May 7, 1969;  
8:45 a.m.]

### MARSHALL & ILSLEY BANK STOCK CORP.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Marshall & Ilsley Bank Stock Corp., which is a bank holding company located in Milwaukee, Wis., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of Westfield State Bank, Westfield, Wis.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Chicago.

Dated at Washington, D.C., this 30th day of April 1969.

By order of the Board of Governors.  
[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[P.R. Doc. 69-5468; Filed, May 7, 1969;  
8:46 a.m.]

### MARSHALL & ILSLEY BANK STOCK CORP.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Marshall & Ilsley Bank Stock Corp., which is a bank holding company located in Milwaukee, Wis., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of Peoples State Bank, New Holstein, Wis.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Chicago.

Dated at Washington, D.C., this 29th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[P.R. Doc. 69-5469; Filed, May 7, 1969;  
8:46 a.m.]

### FIRST AT ORLANDO CORP.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)),

by First at Orlando Corp., which is a bank holding company located in Orlando, Fla., for the prior approval of the Board of the acquisition by Applicant of at least 80 percent of the voting shares of Commercial Bank at Daytona Beach, Daytona Beach, Fla.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 30th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[P.R. Doc. 69-5470; Filed, May 7, 1969;  
8:46 a.m.]

### FIRST AT ORLANDO CORP.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by First at Orlando Corp., which is a bank holding company located in Orlando, Fla., for the prior approval of the Board of the acquisition by Applicant of at least 80 percent of the voting shares of Peninsula State Bank at Daytona Beach Shores, Daytona Beach Shores, Fla.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation



under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anti-competitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 30th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-5471; Filed, May 7, 1969;  
8:46 a.m.]

#### FIRST AT ORLANDO CORP.

##### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842 (a)), by First at Orlando Corp., which is a bank holding company located in Orlando, Fla., for the prior approval of the Board of the acquisition by Applicant of at least 80 percent of the voting shares of Exchange Bank at Holly Hill, Holly Hill, Fla.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anti-

competitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 30th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-5472; Filed, May 7, 1969;  
8:46 a.m.]

## NATIONAL COMMISSION ON PRODUCT SAFETY

[Public Law 90-146; 81 Stat. 466]

### HOUSEHOLD PRODUCTS PRESENTING HEALTH AND SAFETY RISK

#### Amendment of Advance Notice of Hearings

The advance notice of Hearings published December 11, 1968, in the FEDERAL REGISTER (33 F.R. 18414), is hereby amended to delete reference to the hearing entitled "Economics of Home Injuries." The hearing will be rescheduled at a later date.

Dated: May 5, 1969.

ARNOLD B. ELKIND,  
Chairman.

[F.R. Doc. 69-5499; Filed, May 7, 1969;  
8:48 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3909]

### BSF CO.

#### Order Suspending Trading

MAY 2, 1969.

The capital stock (66 $\frac{2}{3}$  cents par value) and the 5 $\frac{3}{4}$  percent convertible subordinated debentures due 1969 of BSF Co. being listed and registered on the American Stock Exchange, and such capital stock being listed and registered on the Philadelphia-Baltimore-Washing-

ton Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934; and all other securities of BSF Co. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in the said capital stock on such exchanges and in the debentures on the American Stock Exchange, and trading otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 5, 1969, through May 14, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-5485; Filed, May 7, 1969;  
8:47 a.m.]

### CAPITOL HOLDING CORP. Order Suspending Trading

MAY 2, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading otherwise than on a national securities exchange in the common stock and all other securities of Capitol Holding Corp. is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 5, 1969, through May 14, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-5486; Filed, May 7, 1969;  
8:47 a.m.]

[812-2398, 811-1713]

### GENERAL INTERNATIONAL CORP.

#### Notice of and Order for Hearing on Application of Act for Order Declaring That Company Not an Investment Company and for Order Terminating Its Registration

APRIL 30, 1969.

Notice is hereby given that General International Corp. ("applicant"), 227 South Seventh Street, Springfield, Ill., registered under the Investment Company Act of 1940 ("Act") as a closed-end, nondiversified management investment company, has filed an application (1) pursuant to section 3(b) (2) of the Act for an order declaring that applicant is



primarily engaged in a business other than that of investing, reinvesting, owning, holding, or trading in securities, either directly or through majority-owned subsidiaries or through controlled companies conducting similar types of businesses and (2) pursuant to section 8(f) of the Act for an order declaring that applicant has ceased to be an investment company. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Applicant was organized under the laws of Illinois on December 16, 1960. Applicant states that until December 1966 it was primarily engaged in the business of an insurance company through a majority-owned subsidiary. In December of 1966, applicant exchanged the stock of this majority-owned subsidiary and 10,000 shares of the applicant's stock for slightly less than 10 percent of the outstanding common stock of General Corporation of Ohio ("Ohio"), which was then primarily engaged in the business of an insurance company, through majority-owned subsidiaries. Applicant indicates that as a result of such acquisition it fell within the definition of an investment company under the Act, but states that it was excepted from such definition by virtue of the provisions of section 3(c) (8) of the Act, which affords such an exception to any company 90 percent or more of the value of whose investment securities are represented by securities of a single issuer primarily engaged, directly or through majority-owned subsidiaries in the business of an insurance company.

In October 1967, Ohio acquired an interest in a company which was not engaged in the business of an insurance company. As a result of this acquisition, Ohio ceased to be engaged primarily, directly or through majority-owned subsidiaries, in the business of an insurance company. Consequently, applicant states it ceased to be entitled to the exception from the definition of an investment company afforded by section 3(c) (8) of the Act; and on August 12, 1968, applicant registered as an investment company under the Act.

Later in 1968, applicant through its majority-owned subsidiaries acquired interests in various businesses. As of October 31, 1968, applicant owned 114,609 shares (approximately 11 percent) of the outstanding common stock of Ohio. The book cost of such interest to applicant aggregated \$619,470, which was equivalent to about 48 percent of the cost of its total assets (exclusive of cash items and Government securities) at that date. At the same date, applicant also owned interests in four majority-owned subsidiaries as defined in the Act. Such interests consisted of an 80 percent interest in Frye-Williamson Press, Inc. ("Frye"), which is engaged in the printing business and an 84.375 percent interest in General International Industries, Inc. ("Industries"), which, in turn, owned a 100 percent interest in Vogt Appliance Corp. ("Vogt"), which is engaged in the business of manufacturing health prod-

ucts and an 80 percent interest in Safety Flames Corp. ("Safety"), which is engaged in the business of manufacturing patio torches and other items. The cost to applicant of such interests in its majority-owned subsidiaries aggregated \$667,613, which was equivalent to about 51 percent of the book cost of its total assets (exclusive of cash items and Government securities) at October 31, 1968.

Applicant has valued its assets at October 31, 1968, taking its interest in its majority-owned subsidiaries on the basis of determinations made by applicant's board of directors and taking its interest in Ohio on the basis of bid price quotations in the over-the-counter market at September 30, 1968. On such basis, applicant's interest in Ohio had a value of \$1,089,000 which was equivalent to 46 percent of the total adjusted value of its assets (exclusive of cash and Government securities) and its investment in its majority-owned subsidiaries aggregated \$1,250,000 (as compared to cost in 1968 of \$667,613) or 53 percent of the value of its total adjusted assets (exclusive of cash and Government securities) at the same date. On the foregoing basis, it appears that applicant is an investment company as defined in section 3(a) (3). However, applicant indicates that it would not be an investment company under section 3(a) (3) if its investment in Ohio and in its majority-owned subsidiaries were valued as described in the application; and that it is entitled to a finding that it is not an investment company because of the following circumstances.

Applicant represents that it acquired its interests in the businesses of its majority-owned subsidiaries with the intent of operating them on a long-term basis and not with an intent to sell them at any time in the foreseeable future.

Applicant states that it has selected all of the members of the board of directors of each of its majority-owned subsidiaries; that the board of directors of each majority-owned subsidiary consists of five members and that three directors of applicant are also members of the board of directors of each of its majority-owned subsidiaries. Applicant also states that its president is the vice president, assistant secretary, and assistant treasurer of each of its majority-owned subsidiaries; that the assistant secretary and assistant treasurer of applicant holds the same position with each of the majority-owned subsidiaries and that a director of applicant is secretary and treasurer of Industries, Safety, and Vogt. Applicant further states that each of the persons referred to above participates in the management of the various subsidiaries as described in the application and that applicant makes all policy and long range decisions for its majority-owned subsidiaries. Since acquiring Frye and Industries, the number of employees of applicant has increased from two to seven, all of whom now devote their entire working time to the business of Frye and Industries. Applicant's primary source of income is the management fee paid to it by Frye and Industries.

It appearing to the Commission that it is appropriate in the public interest that a hearing be held with respect to the application pursuant to sections 3(b) (2) and 8(f) of the Act;

*It is ordered,* Pursuant to section 40(a) of the Act, that a hearing on the aforesaid application under the applicable provisions of the Act and the rules of the Commission thereunder be held on the 26th day of May 1969, at 10 a.m. in the offices of the Commission, 500 North Capitol Street NW., Washington, D.C. 20549. At such time, the Hearing Room Clerk will advise as to the room in which such hearing will be held. Any person, other than applicant, desiring to be heard or otherwise wishing to participate in the proceeding is directed to file with the Secretary of the Commission, on or before the 23d day of May 1969, his application pursuant to Rule 9(c) of the Commission's rules of practice. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address noted above, and proof of service (by affidavit, or, in the case of an attorney at law, by certificate) shall be filed contemporaneously with the request.

*It is further ordered,* That any officer or officers of the Commission to be designated by it for that purpose shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42(b) of the Act, and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation has advised the Commission that it has made a preliminary examination of the application and that upon the basis thereof the following matters are presented for consideration, without prejudice to the specification of additional matters upon further examination:

(1) Whether applicant is an investment company as defined in section 3(a) (3) of the Act, and, if so, whether applicant is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities either directly, or through majority-owned subsidiaries, or through controlled companies conducting similar types of businesses.

(2) Whether applicant has ceased to be an investment company.

(3) If applicant has ceased to be an investment company, whether it is necessary for the protection of investors that the order contain appropriate conditions.

*It is further ordered,* That at the aforesaid hearing attention be given to the foregoing matters.

*It is further ordered,* That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this order by certified mail to applicant, those persons who have requested a hearing, or who have requested to be notified if a hearing is ordered, and that notice to all persons shall be given by publication of this order in the FEDERAL REGISTER; and that a general release



of the Commission in respect of this order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-5487; Filed, May 7, 1969;  
8:47 a.m.]

### TELSTAR, INC.

#### Order Suspending Trading

MAY 2, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Telstar, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 5, 1969, through May 14, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-5488; Filed, May 7, 1969;  
8:47 a.m.]

### TEXAS URANIUM CORP.

#### Order Suspending Trading

MAY 2, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Texas Uranium Corp., Salt Lake City, Utah, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to Section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 4, 1969, through May 13, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-5489; Filed, May 7, 1969;  
8:47 a.m.]

### TOP NOTCH URANIUM AND MINING CORP.

#### Order Suspending Trading

MAY 2, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Top Notch Uranium and Mining Corp. (a Utah corporation), and all

other securities of Top Notch Uranium and Mining Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 3, 1969, through May 12, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-5490; Filed, May 7, 1969;  
8:47 a.m.]

## FEDERAL RESERVE SYSTEM

### INSURED BANKS

#### Joint Call for Report of Condition

CROSS REFERENCE: For a document relating to a joint call for report of condition of insured banks, see F.R. Doc. 69-5480, Federal Deposit Insurance Corporation, *supra*.

## INTERSTATE COMMERCE COMMISSION

[Notice 1292]

### MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

MAY 2, 1969.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the serv-

ice 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 9325 (Sub-No. 41), filed April 11, 1969. Applicant: K LINES, INC., Post Office Box 567, Lake Oswego, Ore. 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: Cement, in bulk, from Eugene, Ore., to points in Del Norte, Siskiyou, and Modoc Counties, Calif., and Curry 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 22167 (Sub-No. 25) (Amendment), filed January 6, 1969, published in the FEDERAL REGISTER issue of February 6, 1969, and republished as amended, this issue. Applicant: CONSOLIDATED COPPERSTATE LINES, 1220 West Washington Boulevard, Montebello, Calif. 90641. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor

<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.



vehicle, over irregular routes, transporting: *classes A and B explosives*, between points in Arizona, California, New Mexico, Texas, Utah, the Louisiana Ordnance Plant at or near Doyline, La., Fort Sill and the Naval Ammunition Depot at or near Savannah-Haywood, Okla. **NOTE:** Applicant states that no duplicating authority is being sought. This republication is for the purpose of including the State of California as one of the States to be served. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 25798 (Sub-No. 186), filed April 10, 1969. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Jack H. Blanshan, 20 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 and 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, from Hillsdale, Mich., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to traffic originating at the plant site and/or warehouses utilized by Great Markwestern Packing Co., at Hillsdale, Mich. **NOTE:** Applicant states that 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 Chicago, Ill., or Detroit, Mich.

No. MC 26739 (Sub-No. 63), filed April 11, 1969. Applicant: GROUCH BROS., INC., U.S. Highway 36, Elwood, Kans. 66024. Applicant's representative: George W. Keefer, Post Office Box 1059, St. Joseph, Mo. 64502. 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 Shenandoah, Iowa, and Lincoln, Nebr., from Shenandoah over Iowa Highway 2 to the Iowa-Nebraska State line and thence over Nebraska Highway 2 to Lincoln and return over the same route, serving the intermediate points of Sidney, Iowa, and Nebraska City, Nebr., and the off-route points of Farragut, Hamburg, and Riverton, Iowa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Lincoln, Nebr.

No. MC 29553 (Sub-No. 8), filed April 11, 1969. Applicant: LAMBERT'S EXPRESS, INC., 1000 South Fourth Street, Harrison, N.J. 07029. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Kitchen sinks, and household and electrical appliances*, from

Edison Township, N.J., to Newark, N.J., and returned shipments on return. **NOTE:** Applicant states it proposes to join the authority sought at Newark, N.J., with its Subs 3 and 5 certificates providing through service to points in Suffolk, Nassau, Westchester, Dutchess, Orange, Rockland, Ulster, Sullivan, and Putnam Counties, N.Y., and Hartford, New Haven, and Fairfield Counties, Conn. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 61231 (Sub-No. 43) (Correction), filed March 28, 1969, published in the *FEDERAL REGISTER* of April 24, 1969, and republished as corrected this issue. 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 Heights, 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. This republication is for the purpose of showing Chicago Heights, Ill., as the origin point. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 61396 (Sub-No. 216), filed April 17, 1969. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Omaha, Nebr. 68101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer materials*, in bulk and in bags, from Des Moines, Iowa, to points in Illinois, Kansas, Minnesota, Missouri, Nebraska, 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 Omaha, Nebr., or Des Moines, Iowa.

No. MC 64932 (Sub-No. 474), filed April 21, 1969. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60643. 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: *Coal tar and coal tar products*, in bulk, in tank vehicles, from Granite City, Ill., 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 Chicago, Ill.

No. MC 68328 (Sub-No. 3), filed April 9, 1969. Applicant: JERSEY SEABOARD LINES, INC., Route 34, Post Office Box 1, Spring Lake, N.J. 07762. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Monmouth, Middlesex, and Ocean Counties, N.J., on the one hand, and, on the other, points in New Jersey in the New York, N.Y. commercial zone as defined by the commission, East Rutherford, Lyndhurst, Newark, Port Newark, Elizabeth, Port Elizabeth (Union County), and Kearny, N.J. (restricted to shipments having prior or subsequent movement in interstate commerce). **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 Philadelphia, Pa.

No. MC 79080 (Sub-No. 10) (Correction), filed March 6, 1969, published *FEDERAL REGISTER* issue of April 10, 1969, corrected April 14, 1969, and republished as corrected, this issue. Applicant: AUSTGEN EXPRESS & STORAGE COMPANY, a corporation, Post Office Box 1528, Aurora, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal and plastic containers; container components and ends; and supplies used in the manufacture and distribution of metal and plastic containers and container ends that move with metal and plastic containers and container ends; and steel, plastic, tin, and aluminum tops and closures*, from points in Cook and Kane Counties, Ill.; Peoria and Danville, Ill.; St. Louis, Mo.; Mankato, Minn.; Milwaukee and Racine, Wis.; and Elwood, Ind., to points in Illinois, Indiana, Ohio, Michigan, Kentucky, Missouri, Iowa, Wisconsin, Minnesota; and Omaha, Nebr. **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 reflect that Mankato is in the State of Minnesota, in lieu of Wisconsin, as shown erroneously in previous publication. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 83539 (Sub-No. 247), filed April 14, 1969. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Dallas, Tex. 75222. Applicant's representatives: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102, and J. P. Welsh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrought iron pipe and connections or fittings, wrought iron conduit pipe and connections or fittings, flexible steel conduit, steel armored and steel and lead armored copper cable, and strip steel*, from Glen Dale, W. Va., and Carnegie, Pa., to points in Alabama, Arkansas,



Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, 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 85465 (Sub-No. 18), filed April 21, 1969. Applicant: WEST NEBRASKA EXPRESS, INC., Post Office Drawer 350, Scottsbluff, Nebr. 69361. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh hams*, from points in Indiana, Ohio, and Minnesota (except Austin), to Scottsbluff, Nebr., and Delphos, Ohio. **NOTE:** Applicant states that 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 being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Omaha, Nebr.

No. MC 86913 (Sub-No. 27), filed April 9, 1969. Applicant: EASTERN MOTOR LINES, INC., Post Office Box 649, Warrenton, N.C. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer), from points in Ohio, Maryland, and New York (except points in the New York, N.Y. commercial zone as defined by the Commission), and points in that part of Pennsylvania west and north of a line beginning at the Pennsylvania-Maryland State line and extending along U.S. Highway 15 to junction U.S. Highway 22, and thence along U.S. Highway 22 to the Pennsylvania-New Jersey State line, to points in North Carolina east of U.S. Highway 1. **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 94265 (Sub-No. 216), filed April 9, 1969. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. 23502. Applicant's representative: Wilmer B. Hill, 666 11th Street NW., Suite 705, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, when moving in mixed loads with 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 Austin, Minn., to points in Virginia, North Carolina, those in that portion of West Virginia south of U.S. Highway 60, and the District of Columbia, restricted to traffic originating at the plantsite and warehouse facilities of Geo. A. Hormel & Co. **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., Minneapolis, Minn., or Chicago, Ill.

No. MC 96500 (Sub-No. 7), filed April 14, 1969. Applicant: HARRY'S EXPRESS COMPANY, INC., 545 West 25th Street, New York, N.Y. 10000. Applicant's representative: Norman Weiss, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stuffed toy animals, dolls and musical cases*, from applicant's terminal at New York, N.Y., and steamship piers in the New York, N.Y., commercial zone to Deer Park, N.Y., under a continuing contract or contracts with R. Dakin & Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 97699 (Sub-No. 29), filed April 11, 1969. Applicant: BARBER TRANSPORTATION COMPANY, a corporation, 321 Sixth Street, Rapid City, S. Dak. 57701. 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 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., over U.S. Highway 12, serving no intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Baker, Mont.

No. MC 99090 (Sub-No. 8) (Correction), filed March 17, 1969, published *FEDERAL REGISTER* issue of April 17, 1969, corrected and republished as corrected, this issue. Applicant: YATES TRUCK LINES, INC., Maud, Ky. 40042. 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) *Rigid polyvinyl chloride pipe*, between the plantsite of Universal Pipe and Plastic, Inc., near Springfield, Ky., on the one hand, and, on the other, points in the United States except points in Hawaii and Alaska; (2) *materials, equipment, and supplies* used in the manufacture of rigid polyvinyl chloride pipe, between points in the United States, except Hawaii and Alaska, on the one hand, and, on the other, the site of the plant of Universal Pipe and Plastic, Inc., near Springfield, Ky. **NOTE:** Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. The pur-

pose of this republication is to add "the United States, except points in Hawaii, and," which were inadvertently omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 102567 (Sub-No. 131), filed April 18, 1969. Applicant: EARL GIBBON TRANSPORT, INC., 235 Benton Road, Post Office Drawer 5357, Bossier City, La. 71010. Applicant's representative: Jo E. Shaw, 816 Houston First Savings Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid paper and pulp mill products, byproducts and derivatives*, in bulk, in tank vehicles, from Bogalusa, La., 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 New Orleans, La.

No. MC 103191 (Sub-No. 26), filed April 21, 1969. Applicant: THE GEO. A. RHEMAN CO., INC., Post Office 2095, Station A, Charleston, S.C. 29403. Applicant's representative: Beverley S. Simms, 1700 Pennsylvania Avenue, NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Orlando, Fla., to North Charleston, S.C., and points within 10 miles of North Charleston, S.C. **NOTE:** Applicant states that no duplicating authority is being sought. Applicant further states that 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 Orlando or Jacksonville, Fla.

No. MC 103993 (Sub-No. 400), filed April 14, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passenger automobiles, in initial movement from Putnam County, Ohio, to points in the United States (except Alaska and Hawaii), and (2) *buildings in sections*, mounted on their own or removable wheeled undercarriages in initial movement, from points in Putnam County, Ohio, to all points in the United States except Alaska, Hawaii, Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, Wisconsin, 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 Lima, Ohio.



No. MC 105045 (Sub-No. 21) (Correction), filed March 18, 1969, published in the FEDERAL REGISTER issue of April 24, 1969, and republished in part, as corrected, this issue. Applicant: R. I. JEFFRIES TRUCKING CO., INC., 1020 Pennsylvania Street, Evansville, Ind. 47708. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. This partial republication is for the purpose of reflecting the correct Docket number as MC 105045 (Sub-No. 21) in lieu of MC 10545 (Sub-No. 21) which was erroneously published. The rest of the application remains as previously published.

No. MC 105813 (Sub-No. 169), filed April 17, 1969. Applicant: BELFORD TRUCKING CO., INC., 1299 Northeast 23d Street, Miami, Fla. 33148. 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: *Meats, meat products, and 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, from Hillsdale, Mich., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to traffic originating at the plantsite or storage facilities utilized by Great Markwestern Packing Co. at or near Hillsdale, Mich. 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 Chicago, Ill.

No. MC 107295 (Sub-No. 194), filed April 14, 1969. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sky-lights, parts and accessories used in installation thereof*, from Garland, Tex., to points in the United States (except Texas, Alaska, and Hawaii). NOTE: Applicant states it intends to tack with MC 107295 where feasible. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 107475 (Sub-No. 63), filed April 16, 1969. Applicant: DANCE FREIGHT LINES, INC., 920 Dance Court, Cincinnati, Ohio 45203. Applicant's representative: V. R. Oldenburg, Post Office Box 5138, Chicago, Ill. 60680. 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 Greer, S.C., as an off-route point in connection with applicant's presently authorized regular route operation, for the purpose of interchange of traffic only. NOTE: Common control may be involved. If a hearing is deemed

necessary, applicant requests it be held at Columbia, S.C.

No. MC 108068 (Sub-No. 79), filed April 18, 1969. Applicant: U. S. A. C. TRANSPORT, INC., Post Office Box G, Joplin, Mo. 64801. Applicant's representatives: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112, and A. N. Jacobs (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Windows, curtain walls, doors, and parts*; (2) *tools, accessories or materials incidental to the installation thereof*, from Medley, Fla., to points in the United States. 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 Miami, Fla., or Washington, D.C.

No. MC 108207 (Sub-No. 258), filed April 14, 1969. Applicant: FROZEN FOOD EXPRESS, a corporation, 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: (1) *Meats, meat products, meat byproducts, dairy products, frozen foods, dressing, uncooked bakery goods, table sauces, and prepared salads*, in vehicles equipped with mechanical refrigeration, and (2) *foodstuffs* (except those described in (1) above), when moving in mixed loads with one or more of the commodities described in (1) above, in vehicles equipped with mechanical refrigeration, from Rossville, Tenn., to Memphis, Tenn. NOTE: Applicant states it would tack at Memphis, Tenn., with its Sub 1 to serve points in Texas, Louisiana, Michigan, Oklahoma, Missouri, Arkansas, Illinois, and Mississippi; with its Sub 12 to serve points in Iowa, Kansas, and Nebraska; and with its Sub 217 to serve points in Mississippi. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn. or Little Rock, Ark.

No. MC 108460 (Sub-No. 38), filed April 17, 1969. Applicant: PETROLEUM CARRIERS COMPANY, a corporation, 5104 West 14th Street, Sioux Falls, S. Dak. 57101. Applicant's representative: Richard Hopewell, 511 Northwestern Bank Building, Sioux Falls, S. Dak. 57102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the terminal outlet of the Mid-America Pipeline Co. (MAPCO, Inc.) at or near Whiting, Iowa, to points in Minnesota, Iowa, South Dakota, and North Dakota, restricted to Mid-America Pipeline Co. facilities only. 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.

No. MC 109337 (Sub-No. 10), filed April 16, 1969. Applicant: WATSON BROS. VAN LINES AND HEAVY HAULING CO., a corporation, 3514 South 25th

Street, Omaha, Nebr. 68105. Applicant's representative: Samuel Zacharia, 711 First National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trench excavating machines*, from Omaha, Nebr., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that no duplicating authority is being sought; and any authority granted herein, to the extent that it duplicates any authority now held by applicant, may be conditioned to confer but a single operating right. 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 Omaha, Nebr.

No. MC 109397 (Sub-No. 359) (clarification), filed March 13, 1969, published FEDERAL REGISTER issue of April 10, 1969, clarified and republished as clarified this issue. Applicant: SOUTHERN TANK LINES, INC., Post Office Box 1047 (4107 Bells Lane), Louisville, Ky. 40201. Applicant's representative: Harris G. Andrews (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, (1) from the plantsite of GAF Corp., Calvert City, Ky., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina; and (2) from the plantsite of GAF Corp., Chattanooga, Tenn., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. Restricted in each instance to traffic originating at the indicated origins in (1) and (2). 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. The purpose of this republication is to clarify the tacking information. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109430 (Sub-No. 15), filed April 14, 1969. Applicant: EQUIPMENT TRANSPORT, INC., Post Office Box 665, Columbia, S.C. 29169. Applicant's representative: Henry P. Willmon, Post Office Box 1075, Greenville, S.C. 29602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fabricated steel, structural steel, angles, rounds, flats, bars, and joists*, between points in Richland and Lexington Counties, S.C., and points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada and points in Louisiana west 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 Columbia, S.C.



No. MC 110525 (Sub-No. 905), filed April 14, 1969. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as applicant), and Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *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, Pennsylvania, 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 111201 (Sub-No. 15), filed April 14, 1969. Applicant: J. N. ZELLNER & SON TRANSFER COMPANY, a corporation, Post Office Box 818, East Point, Ga. 30044. Applicant's representatives: Archie B. Culbreth and Guy H. Postell, 1273 Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Glass containers and closures for glass containers, and corrugated boxes and paper containers*, in mixed loads with glass containers and closures for glass containers, from Mineral Wells, Miss., to points in Alabama, Arkansas, Georgia, Louisiana, Missouri, 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 111729 (Sub-No. 282), filed April 21, 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: (1) *Business papers, records and audit and accounting media of all kinds, and advertising material* moving therewith: (a) between points in Baldwin, Bartow, Catoosa, Chattooga, Cherokee, Cobb, Dawson, De Kalb, Floyd, Forsyth, Fulton, Gilmer, Gordon, Hall, Murray, Pickens, Walker, and Whitfield Counties, Ga., on the one hand, and, on the other, points in Tennessee east of the westerly crossing of the Tennessee River bound on the north by Kentucky and Virginia, on the east by North Carolina and on the south by Alabama and Georgia; (b) between Anderson, Ind., on the one hand, and, on the other, Paris and Carbondale, Ill.; Oxford and Lucasville, Ohio; (c) between Akron, Ohio, on the one hand, and, on the other, points in Butler, Lawrence, and Mercer Counties, Pa.; (d) between points in New Haven County, Conn., on the one hand, and, on the other, points in Cum-

berland County, Maine; Hillsboro County, N.H.; Suffolk County, Mass.; Allegheny County, Pa.; and Union County, N.J.; (e) between points in Litchfield County, Conn., on the one hand, and, on the other, New York, N.Y.; and points in Dutchess, Nassau, and Westchester Counties, N.Y.; (f) between New York, N.Y., on the one hand, and, on the other, points in Blair County, Pa.; and (g) between Pittsburgh, Pa., on the one hand, and, on the other, points in Blair County, Pa., restricted to shipments having an immediately prior or subsequent movement by air.

(2) *Radiopharmaceuticals, radioactive drugs and medical isotopes*, between Jacksonville, Orlando, and Tampa, Fla., on the one hand, and, on the other, points in Florida, restricted to shipments having an immediately prior or subsequent movement by air. (3) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies and advertising literature* moving therewith (except motion picture film used primarily for theatre and television exhibition), between Findlay, Ohio, on the one hand, and, on the other, points in Whitley County, Ind. (4) *Cameras, projectors, tape recorders, electronic flash units, light meters, and other electronic components* related to the photographic business, restricted against the transportation of packages or articles weighing in the aggregate more than 90 pounds from one consignor to one consignee on any one day, between Findlay, Ohio, on the one hand, and, on the other, points in Whitley County, Ind. (5) *Sample syrups, sample bottles and machinery replacement parts—such as small gears, gaskets, precision tools, bearings, shims, pistons, and cylinders*, restricted against the transportation of packages or articles weighing in the aggregate more than 75 pounds from one consignor to one consignee on any one day, between points in New Haven County, Conn., on the one hand, and, on the other, points in Allegheny County, Pa.; Cumberland County, Maine; Hillsboro County, N.H.; Providence County, R.I.; Suffolk County, Mass.; and Union County, N.J.

(6) *Small computer replacement parts*, restricted against the transportation of packages or articles weighing in the aggregate more than 75 pounds from one consignor to one consignee on any one day; (a) between New York, N.Y., on the one hand, and, on the other, points in Blair County, Pa.; and (b) between Pittsburgh, Pa., on the one hand, and, on the other, points in Blair County, Pa., restricted to shipments having an immediately prior or subsequent movement by air; and (7) *research chemicals* which are nonhazardous and nonregulated requiring no labels, restricted to the transportation of packages or articles weighing in the aggregate more than 250 pounds from one consignor to one consignee on any one day, between New Martinsville, W. Va., and Pittsburgh, Pa. Note: Applicant states it intends to tack the sought authority with its presently held common carrier authority. Applicant holds contract carrier authority under MC 112750 and Subs, 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 111785 (Sub-No. 42), filed April 15, 1969. Applicant: BURNS MOTOR FREIGHT, INC., U.S. Highway 219 North, Post Office Box 149, Marlinton, W. Va. 24954. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Wooden pallets and lumber*; (a) from points in Tucker County, W. Va., to points in Missouri, Wisconsin, Louisiana, Iowa, and Arkansas; (b) from points in Cuyahoga County, Ohio, to points in Michigan, Indiana, Pennsylvania, Illinois, Kentucky, West Virginia, Wisconsin, Missouri, New York, Vermont, New Hampshire, Massachusetts, Connecticut, Delaware, Maine, and Rhode Island; (2) *lumber*, from points in Tucker County, W. Va., to points in Alabama, Michigan, New Jersey, North Carolina, South Carolina, Delaware, Georgia, Kentucky, Missouri, Arkansas, Wisconsin, Louisiana, and Iowa; and (3) *wooden pallets*, between 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., or Cleveland, Ohio.

No. MC 112520 (Sub-No. 198), filed April 16, 1969. Applicant: McKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay, including processed clay and ground clay*, in bulk, from points in Decatur County, Ga., to points in 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 Atlanta, Ga.

No. MC 112520 (Sub-No. 199), filed April 21, 1969. Applicant: McKENZIE TANK LINES, INC., Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: W. Guy McKenzie, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tall oil and tall oil products*, in bulk, in tank vehicles, from points in Early County, Ga., to points in Alabama and Florida. 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 112617 (Sub-No. 255), filed April 10, 1969. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. 40205. Applicant's representative: L. A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a common



carrier, by motor vehicle, over irregular routes, transporting: *Latex*, in bulk, in tank vehicles, from the plantsite of W. R. Grace & Co. at or near Owensboro, Ky., to points in Oregon. 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 112822 (Sub-No. 111), filed April 10, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, Cushing, Okla. 74023. Applicant's representatives: Carl L. Wright, Jr. (same address as applicant), and Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. 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, from Hillsdale, Mich., to points in Washington, Oregon, California, Utah, Colorado, New Mexico, Nevada, and Arizona, restricted to traffic originating at the plantsite and/or warehouses utilized by Great Markwestern Packing Co. at Hillsdale, Mich. 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 Detroit, Mich.

No. MC 113651 (Sub-No. 127), filed April 14, 1969. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. 47302. Applicant's representative: Rodney Tetrault (same address as above). 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, in tank vehicles), from points in Iowa to points in Indiana, Ohio, Michigan, Kentucky, Pennsylvania, New Jersey, New York, Maryland, Delaware, District of Columbia, Rhode Island, Vermont, New Hampshire, Connecticut, Massachusetts, Maine, Virginia, and West Virginia. 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 Des Moines, Iowa, or Chicago, Ill.

No. MC 113843 (Sub-No. 149), filed April 17, 1969. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02110. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packing-*

*houses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Hillsdale, Mich., to points in Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the plantsite and/or warehouses utilized by Great Markwestern Packing Co. at Hillsdale, Mich. 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 Detroit, Mich.

No. MC 113855 (Sub-No. 189) (Amendment), filed February 4, 1969, published FEDERAL REGISTER issue of March 6, 1969, amended April 11, 1969, and republished as amended, this issue. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55901. 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: (1) *Classes A and B explosives and other dangerous articles*, except those in bulk, in tank trucks; (2) *commodities* which by reason of size or weight require the use of special equipment and (3) *ordnance equipment, materials and supplies, and quartermaster supplies* (except household goods and commodities in bulk) between points in the United States, restricted to traffic moving to, from or between military installations and contractors' facilities. NOTE: Applicant states it holds authority under MC 113855 Sub 84 and Sub 70, to transport commodities, which because of their size or weight require the use of special equipment or special handling. Some of the traffic involved may fall within such authority. Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. This republication is to add "and other dangerous articles, except those in bulk, in tank trucks" in (1) above and to add (2) and (3) to the commodity description, and redescribe the territorial scope. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114019 (Sub-No. 193), filed April 17, 1969. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. 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: *Meats, meat products, and 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, from Hillsdale, Mich., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West

Virginia, and the District of Columbia, restricted to traffic originating at the plantsite or storage facilities utilized by Great Markwestern Packing Co., at or near Hillsdale, Mich. 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 114045 (Sub-No. 327), filed April 17, 1969. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. 75222. 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: *Meats, meat products, and 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, from Hillsdale, Mich., to points in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas (restricted to traffic originating at the plantsite or storage facilities utilized by Great Markwestern Packing Co., at or near Hillsdale, Mich. 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 Chicago, Ill.

No. MC 114457 (Sub-No. 76) (Correction), filed March 6, 1969, published in the FEDERAL REGISTER issue of April 10, 1969, and republished as corrected, this issue. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. 55104. 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: *Dairy products and byproducts, and such materials, supplies, and equipment as are incidental to the production, packaging, and sale of dairy products and byproducts*, from points in Minnesota, to points in Illinois, Indiana, Ohio; Waukegan, Milwaukee, Mount Horeb, Kansasville, and Madison, Wis. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. This republication is for the purpose of more clearly setting forth the commodity description and to reflect the origin point. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 115092 (Sub-No. 8), filed April 10, 1969. Applicant: WEISS TRUCKING, INC., Post Office Box 0, Vernal, Utah 84080. Applicant's representative: William S. Richards, 1605 Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Crude oil*, from points in Sweetwater and Carbon Counties, Wyo., to pipeline receiving station at or near Rangley, Colo. NOTE: Applicant states that it intends to tack at points in Colorado on and west of



U.S. Highway 85 and points in Utah serving appropriate Colorado-Utah points. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Salt Lake City, Utah.

No. MC 116254 (Sub-No. 93) (Amendment), filed March 3, 1969, published in FEDERAL REGISTER issue of March 27, 1969, amended April 15, 1969, and republished as amended this issue. 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: Liquid fertilizer, in bulk, in tank vehicles, from Port Birmingham, Ala., to points in Alabama, Georgia, Mississippi, and Tennessee. NOTE: Applicant states it could tack with its presently held authorities in MC 116254 Sub 5 and Sub 52, wherein it is authorized to conduct operations in the States of Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin. Applicant further states that no duplicating authority is sought. The purpose of this republication is to change the tacking information. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., Nashville, Tenn., or Atlanta, Ga.

No. MC 116273 (Sub-No. 115), filed April 14, 1969. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer and fertilizer materials, in bulk, in tank vehicles, from the storage facilities of Allied Chemical Corp., located at or near Channahon (Smithbridge), Ill., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin. NOTE: Applicant states it will tack with its Sub 5 at Joliet, Ill., to enable service to Iowa, Minnesota, and Missouri, with its Sub 48 at East Dubuque, Ill., to enable service to Iowa, Kansas, Missouri, Kentucky, Nebraska, Minnesota, and South Dakota and its Sub 61 at Niota, Ill., to enable service to Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, and South Dakota. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117963 (Sub-No. 1), filed April 10, 1969. Applicant: JAMES VISCONTI AND PETER VISCONTI, a partnership, doing business as VISCONTI BROS., Morton Avenue, Rosenhay, N.J. 08352. Applicant's representative: Matthew Aaron, 204 Feinstein Building, Bridgeton, N.J. 08302. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Glass containers from Bridgeton, N.J., to New York, N.Y., Philadelphia, Pa., Boston, Mass., Lewes and Wilmington, Del., Deer Park and Baltimore, Md., under contract with Leone Industries,

South East Avenue, Bridgeton, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 118282 (Sub-No. 24) (Republication), filed April 14, 1969, published in FEDERAL REGISTER, issue of April 30, 1969, and republished this issue. Applicant: JOHNNY BROWN'S, INC., 6801 Northwest 74th Avenue, Miami, Fla. 33166. Applicant's representative: Archie B. Culbreth, 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 household goods as defined by the Commission, and those of unusual value); (1) between Jacksonville, Fla., and San Diego, Calif.: From Jacksonville over U.S. Highway 90 to Mobile, Ala., thence over U.S. Highway 45 to Meridian, Miss., thence over U.S. Highway 80 to San Diego, and return over the same route (no intermediate points will be served between Jacksonville, Fla., and El Centro, Calif.); (2) between Jacksonville, Fla., and Los Angeles, Calif.: (a) From Jacksonville over U.S. Highway 90 to Van Horn, Tex., thence over U.S. Highway 80 to Las Cruces, N. Mex., thence over U.S. Highway 70 to Globe, Ariz., thence over U.S. Highway 60 to Los Angeles, Calif., and return over the same route, and (b) over Interstate Highway 10 (no intermediate points will be served between Jacksonville, Fla., and Blythe, Fla.); (3) between Jacksonville, Fla., and Key West, Fla., over U.S. Highway 1; (4) between Miami Fla., and Tallahassee, Fla., over U.S. Highway 27 (no intermediate points will be served between Archer, Fla., and Tallahassee, Fla.). This route for joinder purposes only; (5) between Jacksonville, Fla., and Miami, Fla., over Interstate Highway 95;

(6) between Lake City, Fla., and Miami, Fla.: (a) Over U.S. Highway 41 (no intermediate points to be served between Archer, Fla., and Lake City, Fla.). This route for purposes of joinder only; and (b) from the intersection of Interstate Highway 75 and Interstate Highway 10, over Interstate Highway 75 to Wildwood, Fla., thence over the Sunshine State Parkway (Florida's Turnpike) to Miami, Fla., and return over the same route (no intermediate points to be served from the junction of Florida Highway 24 and Interstate Highway 75 to the junction of Interstate Highway 75 and Interstate Highway 10). This route for joinder purposes only; (7) between Wildwood, Fla., and Tampa, Fla., over Interstate Highway 75; (8) between Daytona Beach, Fla., and St. Petersburg, Fla., over Interstate Highway 4; (9) between Ocala, Fla., and Baldwin, Fla., over U.S. Highway 301; (10) between St. Petersburg, Fla., and Tallahassee, Fla., over U.S. Highway 19 (no intermediate points to be served between Otter Creek and Tallahassee). This route for joinder purposes only; (11) between Lebanon Station, Fla., and Dunnellon, Fla., over Florida Highway 336; (12) between Lakeland, Fla., and Punta Gorda, Fla.: From Lakeland over U.S. Highway 98 to Bartow, Fla., thence over U.S. High-

way 17 to Punta Gorda, and return over the same route; (13) between Orlando, Fla., and Belle Glade, Fla., over U.S. Highway 441; (14) between Jacksonville, Fla., and Orlando, Fla., over U.S. Highway 17;

(15) between Palmetto, Fla., and Wildwood, Fla., over U.S. Highway 301; (16) between Fort Myers, Fla., and West Palm Beach, Fla.: From Fort Myers over Florida Highway 80 to junction of U.S. Highway 27, thence over U.S. Highway 27 to South Bay, Fla., thence over Florida Highway 827A to Belle Glade, Fla., thence over U.S. Highway 441 to West Palm Beach, and return over the same route; (17) between Tampa, Fla., and Vero Beach, Fla., over Florida Highway 60; (18) between Bradenton, Fla., and West Palm Beach, Fla.: From Bradenton over Florida Highway 64 to junction of Florida Highway 675, thence over Florida Highway 675 to junction Florida Highway 70, thence over Florida Highway 70 to junction of Florida Highway 710, thence over Florida Highway 710 to West Palm Beach, and return over the same route; (19) between Ocala, Fla., and Ormond Beach, Fla., over Florida Highway 40; (20) between Orlando, Fla., and Indiana River City, Fla., over Florida Highway 50; (21) between Orlando, Fla., and Tampa, Fla., over U.S. Highway 92; (22) between San Diego and Crescent City, Calif.: From San Diego over Interstate Highway 5 to Los Angeles, Calif., thence over U.S. Highway 101 to Crescent City, and return over the same route; (23) between Los Angeles and Weed, Calif., over U.S. Highway 99 and Interstate Highway 5; (24) between San Diego and Alturas, Calif., over U.S. Highway 395; (25) between San Francisco, Calif., and Reno, Nev., over Interstate Highway 80; (26) between Blythe and San Bernardino, Calif.: From Blythe over U.S. Highway 95 to Needles, Calif., thence over U.S. Highway 66 to San Bernardino, and return over the same route; (27) between Santa Maria and Greenfield, Calif., from Santa Maria over California Highway 166 to junction California Highway 33, thence over California Highway 33 to junction California Highway 119, thence over California Highway 119 to Greenfield, and return over the same route;

(28) between Bakersfield and Barstow, Calif., over California Highway 58; (29) between Gilroy and Fairmead, Calif., over California Highway 152; (30) between Ventura, Calif., and junction California Highways 33 and 152, over California Highway 33; (31) between San Jose and Stockton, Calif., from San Jose over Interstate Highway 680 to junction U.S. Highway 50, thence over U.S. Highway 50 to Stockton, and return over the same route; and (32) between Mobile, Ala., and Jackson, Miss.: From Mobile over U.S. Highway 98 to Hattiesburg, Miss., thence over U.S. Highway 49 to Jackson, and return over the same route, serving Mobile, Ala., and Jackson, Miss., for purpose of joinder only. NOTE: Applicant states service will be performed at all intermediate points on the above described routes in Florida and California. All points in Florida and those in California not on the above described route will



be served as off-route points in connection with the otherwise authorized routes. No local operations will be performed between points in Florida or between points in California. Applicant holds contract carrier authority under MC-125811 and Sub 5, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif. **NOTE:** The above issues were published in the **FEDERAL REGISTER** of April 30, 1969, and included therein was a provision setting the application for hearing on May 12, 1969, through May 29, 1969, at Los Angeles, Calif. The purpose of this republication is to postpone the hearing in this proceeding to a time and place to be hereafter fixed. Protests should be filed within 30 days from the date of this publication.

No. MC 119767 (Sub-No. 220), filed April 18, 1969. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Allan B. Torhorst, Post Office Box 339, Burlington, Wis. 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude rubber*, between Burlington, Wis., and points in Michigan, Minnesota, Illinois (except Chicago), Iowa, and Wisconsin. **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 Chicago, Ill.

No. MC 119777 (Sub-No. 147), filed April 15, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Theodore Polydoroff, Suite 110, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wooden pallets and lumber*, from points in Cuyahoga County, Ohio, to points in Michigan, Indiana, Pennsylvania, Illinois, Kentucky, West Virginia, Wisconsin, Missouri, New York, Vermont, New Hampshire, Massachusetts, Connecticut, Delaware, Maine, and Rhode Island, (2) *wooden pallets*, from points in Tucker County, W. Va., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, New Mexico, Florida, Wisconsin, and Mississippi, and (3) *lumber*, from points in Tucker County, W. Va., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Oklahoma, Texas, New Mexico, Wisconsin, Mississippi, Alabama, Florida, Kentucky, Michigan, Maine, Delaware, South Carolina, and Georgia. **NOTE:** Applicant holds contract carrier authority under Docket No. MC 126970 Sub 1 and Sub 3, therefore, dual operations 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 neces-

sary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 119793 (Sub-No. 6), filed April 16, 1969. Applicant: DEWEY L. WILFONG, doing business as D & W TRUCK LINES, 209 First Street, Parsons, W. Va. 26287. 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 *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from the plantsite or facilities of Mullenax Lumber Co. at or near Parson, W. Va., Tucker County, to points in Pennsylvania, New York, New Jersey, Maryland, Delaware, Virginia, North Carolina, Tennessee, Kentucky, Ohio, and the District of Columbia under a continuing contract or contracts with The Atlantic Lumber Co., and (2) *charcoal in bags and boxes, and wood chips, lighter fluid and barbecue base material (vermiculite other than crude)* in mixed shipments in the same vehicle with charcoal, from the plant and facilities of Kingsford Co. at or near Parsons, W. Va., Tucker County to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Kentucky, Ohio, Indiana, and Michigan under continuing contract or contracts with Kingsford Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charleston, W. Va.

No. MC 123407 (Sub-No. 51), filed April 17, 1969. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. 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: *Gypsum products, building materials and insulating materials, and materials and accessories* used in the installation thereof, from Port Clinton, Ohio, to points in Alabama, Georgia, Tennessee, Kentucky, Indiana, and Illinois. **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 123430 (Sub-No. 3), filed April 14, 1969. Applicant: BARRY TRANSPORTS, INC., 4425 Southwest Highway, Oak Lawn, 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: *Inedible tallow, inedible grease, vegetable oils, including products and blends of said commodities*, in bulk, in tank vehicles, from Hammond, Ind., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. **NOTE:** Applicant states it intends to tack with its present authority where feasible. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124078 (Sub-No. 374), filed March 24, 1969. Applicant: SCHWERTMAN TRUCKING CO., a corporation, 611 South 28 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: *Fly ash*, in bulk, in tank and hopper type vehicles, from points in Vigo County, Ind., to points in Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin. **NOTE:** Applicant states it could tack with MC 124078 (Sub-No. 52), at Louisville, Ky., to serve points in West Virginia. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Chicago, Ill.

No. MC 125497 (Sub-No. 5), filed April 14, 1969. Applicant: L. WOODS & SON TRANSPORT LTD., a corporation, 5005 Irwin Avenue, La Salle, Quebec, Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel*, from ports of entry on the United States boundary line between Canada and the United States to points in Maine, New Hampshire, Vermont, Rhode Island, Connecticut, Massachusetts, and that part of New York State east and north of U.S. Highway 15, beginning at Lake Ontario, at Rochester, N.Y., and extending to the intersection of U.S. Highway 15 with New York Highway 17 and continuing along U.S. Highway 17 to its intersection with the New York-New Jersey boundary line, including points on the highway boundary lines in 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 Washington, D.C.

No. MC 125708 (Sub-No. 113), filed April 8, 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: *Pallets, and lumber*, (1) from points in Madison County, Ill., and Belle Plaine, Iowa, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Mississippi, Ohio, and Wisconsin, (2) from Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin to points in Madison County, Ill., and Belle Plaine, Iowa, (3) from points in Adams, Bond, Brown, Calhoun, Cass, Champaign, Christian, Clark, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Effingham, Fayette, Ford, Fulton, Greene, Iroquois, Jasper, Jersey, Livingston, Logan, Macon, Macoupin, Madison, Mason, McLean, Menard, Montgomery, Morgan, Moultrie, Peoria, Piatt, Pike, Sagamon, Schuyler, Scott, Shelby, Tazewell, Vermillion, Woodford Counties, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin and (4) from Illinois, Indiana, Iowa, Kansas,



Kentucky, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Tennessee, Texas, Wisconsin to Illinois counties listed in part (3) above. **NOTE:** Applicant states Arkansas could be served by tacking if this application is granted in addition to the States sought in the instant application. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 125771 (Sub-No. 5), filed April 17, 1969. Applicant: CAYUGA SERVICE, INC., Post Office Box 74, South Lansing, N.Y. 14882. 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 *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mineral rock salt*, from Warwick Township, N.Y., to points in Connecticut, New Jersey, and Pennsylvania, under continuing contract or contracts with Cayuga Rock Salt Co., Inc., Myers, N.Y., and Highway Materials Co., Inc., South Lansing, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125952 (Sub-No. 9), filed April 7, 1969. Applicant: INTERSTATE DISTRIBUTORS CO., a corporation, 8311 Durango Street SW., Tacoma, Wash. 98489. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and insulation materials*, from Santa Clara and Pittsburg, Calif., to points in Washington west of the Cascade Range, under contract with Gray Co., Inc. **NOTE:** Applicant has common carrier authority in MC 117201, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Tacoma, Wash.

No. MC 126305 (Sub-No. 17), filed April 8, 1969. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., Rural Delivery 1, Clayton, Ala. 36016. 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: *Fungicide and herbicide*, except in bulk, from Metuchen, N.J., to points in Alabama, Georgia, Louisiana, Arkansas, 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 Washington, D.C., or New York, N.Y.

No. MC 127834 (Sub-No. 32), filed April 13, 1969. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. 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) *Commodities*, which because of size or weight require the use of special equipment or handling, and (2) *ordnance materials and supplies and quartermaster supplies* (except household

goods and commodities in bulk), (a) between military installations or Defense Department establishments in the United States (except Hawaii) and (b) between points in (a) above, on the one hand, and, on the other, points 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 127844 (Sub-No. 4), filed April 16, 1969. Applicant: L. B. BARNHILL AND L. S. JOHNSON, JR., doing business as B & J TRANSPORTATION, R.F.D. 1, Box 48 X-A, Sumter, S.C. 29150. Applicant's representative: Henry P. Willimon, Post Office Box 1075, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antiques, used furniture and office equipment*, from points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, to points in Georgia, North Carolina, Florida, Alabama, Mississippi, and South Carolina. **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 Columbia, S.C.

No. MC 127867 (Sub-No. 2), filed April 7, 1969. Applicant: TRANSOL COMPANY, a corporation, 116 Forest Avenue, Des Moines, Iowa 50314. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Solvents*, (1) from Lemont, Roxana, and Wood River, Ill., Louisville, Ky.; Minneapolis, Minn.; St. Louis, Mo.; and South Charlestown, W. Va., to points in Iowa, Nebraska, South Dakota, points in that part of Missouri on and north of U.S. Highway 36, and points in that part of Illinois north of and bounded by a line beginning at Keokuk, Iowa, and extending along U.S. Highway 136 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Illinois Highway 88, thence along Illinois Highway 88 to junction U.S. Highways 34 and 6, thence along U.S. Highways 34 and 6 to junction Illinois Highway 26, thence along Illinois Highway 26 to the Illinois-Wisconsin State line, including points on the highways specified; and (2) from Des Moines, Iowa; Potwin, Kans.; Roxana and Wood River, Ill., and points in Illinois in the St. Louis commercial zone, to points in Missouri on and north of U.S. Highway 36. **Restriction:** The operations specified herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Barton Naptha, Corp., Barton Solvents, Inc., and Barton Solvents, Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 128273 (Sub-No. 46), filed April 18, 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 which, because of size or weight, require the use of special equipment), between points in Erie County, Pa., on the one hand, and on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. **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 128273 (Sub-No. 48), filed April 21, 1969. Applicant: MIDWESTERN EXPRESS, INC., 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: *Reconstituted leaf tobacco*, in hogsheads, from Spotswood, N.J., to St. Louis, Mo. **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 128581 (Sub-No. 1), filed April 16, 1969. Applicant: JOHN E. SPEARS, doing business as JOHN E. SPEARS TRUCKING COMPANY, Route 1, Owens Cross Roads, Ala. 35763. Applicant's representative: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn. 37660. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cinder blocks, concrete blocks and brick*, from points in Georgia, Kentucky, Mississippi, North Carolina, and Tennessee, to Huntsville, Ala., under a continuing contract, or contracts, with General Shale Products Corp., Johnson City, Tenn., Huntsville, Ala., Division. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Washington, D.C.

No. MC 128652 (Sub-No. 4), filed April 11, 1969. Applicant: LARSON TRANSFER & STORAGE CO., INC., 9500 Bloomington Freeway, Minneapolis, Minn. 55431. Applicant's representative: Donald B. Taylor, 3462 Minnehaha Avenue, Minneapolis, Minn. 55406. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cotton and synthetic piece goods, and finished cotton and synthetic*



men's underwear, and men's sportswear and other clothing moving in connection therewith, between plantsite of Munsingwear, Inc., Minneapolis, Minn., on the one hand, and, on the other, the plantsite of Munsingwear, Inc., Ashland, Wis., and Hominy, Okla., under contract with Munsingwear, Inc., Minneapolis, Minn. Note: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128879 (Sub-No. 9), filed April 4, 1969. Applicant: C-B TRUCK LINES, INC., 1034 Humble Place, El Paso, Tex. 79915. 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: Ores, (a) between El Paso, Tex., on the one hand, and, on the other, points in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Washington, and Wyoming; and (b) between Socorro, N. Mex., on the one hand, and, on the other, points in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Washington, and Wyoming. Note: Applicant states that the authority here sought could conceivably be joined to its presently held authority in MC 128879 Sub 4. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at El Paso, Tex.

No. MC 129537 (Sub-No. 6), filed April 9, 1969. Applicant: REEVES TRANSPORTATION COMPANY, a corporation, 5144 West Idlewild, Tampa, Fla., mailing address: Post Office Box 153, Valrico, Fla. 33594. Applicant's representative: John C. Vogt, Jr., Post Office Box 21, Tampa, Fla. 33601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Carpets and rugs, between points in Floyd, Bartow, Chattooga, Gordon, Whitfield, Murray, Catoosa, and Walker Counties, Ga., on the one hand, and, on the other, points in Arkansas and Texas. Note: Applicant states it seeks to tack the authority sought from Arkansas and Texas to its authority held in Florida with interchange at Cartersville, Ga. If a hearing is deemed necessary, applicant requests it be held at Dalton, Ga., or Dallas, Tex.

No. MC 133038 (Sub-No. 2), filed April 11, 1969. Applicant: FIRST SCOTT STREET CORPORATION, 3900 Orleans Street, Detroit, Mich. 48207. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. 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, from Hillsdale, Mich., to points in Washington, Oregon, California, Utah, Colorado, New Mexico, Nevada, and Arizona, restricted to traffic originating at the plantsite and/or warehouses utilized by Great Markwestern Packing Co. at Hillsdale, Mich. Note: Applicant states it does not

intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Applicant holds contract authority under MC 128634, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 133038 (Sub-No. 3), filed April 14, 1969. Applicant: FIRST SCOTT STREET CORPORATION, 3900 Orleans Street, Detroit, Mich. 48207. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. 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, from Hillsdale, Mich., to points in Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia restricted to traffic originating at the plantsite and/or warehouses utilized by Great Markwestern Packing Co. at Hillsdale, Mich. Note: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. Applicant holds contract authority under MC 128634, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 133432 (Sub-No. 2), filed April 15, 1969. Applicant: JOSEPH BERNARD FARRELL, Compton, Md. 20627. Applicant's representative: C. F. Germelman, 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 contract with Charlotte Hall Lumber Co., Inc., Charlotte Hall (St. Marys County), Md. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 133459, filed January 14, 1969. Applicant: GRADLYN KENNELS CORP. OF NEW JERSEY, Sykesville Road, Wrightstown, N.J. 08562. Applicant's representative: George H. Rosen, 265 Broadway, Monticello, N.Y. 12701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pets and animals other than horses; and new and used crates for shipping pets and animals, between points in Burlington County, N.J., on the one hand, and, on the other, Pennsylvania and New York. If a hearing is deemed necessary, applicant requests it be held at Trenton, N.J., or Philadelphia, Pa.

No. MC 133038 (Sub-No. 4), filed April 14, 1969. Applicant: FIRST SCOTT STREET CORPORATION, 3900 Orleans Street, Detroit, Mich. 48207. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat prod-

ucts, 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, from Hillsdale, Mich., to points in North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Tennessee, and Kentucky, restricted to traffic originating at the plantsite and/or warehouses utilized by Great Markwestern Packing Co., at Hillsdale, Mich. Note: Applicant also holds contract authority under MC-128634 Sub-1, therefore dual operations may be involved. 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 Detroit, Mich.

No. MC 133526 (Sub-No. 2), filed April 3, 1969. Applicant: DICKSON'S TRANSPORT AND COACH LINES (NAPANEE) LIMITED, Rural Route No. 5, Napanee, Ontario, Canada. Applicant's representative: Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y. 13202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Steel sewage treatment plants on specially built semitrailers; from ports of entry on the international boundary between the United States and Canada at or near Ogdensburg, Alexandria Bay, Niagara Falls, and Buffalo, N.Y., and Detroit and Port Huron, Mich., to points in New York, Pennsylvania, Michigan, Ohio, Vermont, Maryland, New Jersey, New Hampshire, Connecticut, Rhode Island, Delaware, West Virginia, Massachusetts, Maine, Virginia, and the District of Columbia, restricted to shipments originating in Canada. Note: If a hearing is deemed necessary, applicant requests it be held at Syracuse or Buffalo, N.Y.

No. MC 133581 (Correction), filed March 20, 1969, published in FEDERAL REGISTER issue of April 24, 1969, and republished as corrected this issue. Applicant: HOLDT POTATO COMPANY, INC., Rural Route 2, Red Cloud, Nebr. 68970. 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: The purpose of this republication is to show the correct docket number assigned thereto, as shown above, in lieu of No. MC 13381, which was in error. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 133613 (Amendment), filed April 1, 1969, published in FEDERAL REGISTER issue of April 24, 1969, amended April 14, 1969, and republished as amended this issue. Applicant: AXTELL TRUCKING, INC., Route 2, Box 250 D, Salem, Wis. 53168. Applicant's representative: Richard A. Hellprin, 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, Du Page, Kane, Will, La Salle, Kendall, and De Kalb Counties, Ill., on the other. NOTE: The purpose of this republication is to show La Salle County, Ill., as an origin and destination point. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 133630 (Sub-No. 1), filed April 10, 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 bag and bulk*, from Ashkum, Ill., to points in that part of Indiana on and north of Indiana Highway 28. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield or Chicago, Ill.

No. MC 133640 (Sub-No. 2), filed April 17, 1969. Applicant: CORRIDOR INTERURBAN TRANSPORT CORPORATION, 36-21 193 Street, Flushing, N.Y. 11358. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Precast concrete products, and articles, materials or equipment used in connection with the installation thereof* (except in bulk) from the plant and storage sites of Precast, Inc., and Concrete Conduit Corp. in New York, N.Y., to points in New Jersey and Connecticut and returned shipments, on return, under contract with Precast, Inc., and Concrete Conduit Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133649 (Sub-No. 1), filed April 18, 1969. Applicant: LARISON FARM SERVICE INC., Warner Street, Van Etten, N.Y. 14889. 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: *Feed*, from points in Chemung County, N.Y., to points in Bradford, Pike, Potter, Sullivan, Susquehanna, Tioga, and Wayne Counties, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 133658, filed April 17, 1969. Applicant: R. L. BOOTH, 2800 Beekman Street, Cincinnati, Ohio. Applicant's representatives: Herbert Baker and James R. Stivers, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Forgings, castings, patterns and parts therefor*, between Cincinnati, Ohio, on the one hand, and, on the other,

Connersville and Richmond, Ind., under contract with Buckeye Foundry Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 133660, filed April 14, 1969. Applicant: JEFMOR TRUCKING CO., INC., 50-08 Morenci Lane, Little Neck, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paint, materials, equipment and supplies used or useful in the manufacture or sale of paint; in containers, in insulated equipment, between the facilities and manufactures of Proctor Paint and Varnish Co., at New York, N.Y., and Yonkers, N.Y., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); under contract with Proctor Paint and Varnish Co., at Yonkers, N.Y.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 133662, filed April 14, 1969. Applicant: NORVIE E. PAULK, doing business as MISSISSIPPI VAN & STORAGE CO., No. 1 Greyhound Road, Post Office Box 2392, Columbus, Miss. 39701. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22686, Jackson, Miss. 39205. 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 Clay, Lee, Lowndes, Monroe, Oktibbeha, Prentiss, and Webster Counties, Miss., restricted (1) to the transportation of containerized shipments having an immediately prior or subsequent movement by rail, motor, water or air and moving on through bills of lading of forwarders operating under the section 402(b) (2) exemption; or (2) shipment having an immediately prior or subsequent out-of-State line-haul movement by rail, motor, water, or air.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 133663, filed April 14, 1969. Applicant: SOUTHWEST MARKETING ASSOCIATION, a corporation, 5534 East Belknap, Post Office Box 1598, Fort Worth, Tex. 76101. Applicant's representative: Claude M. Welch, Post Office Box 1598, Fort Worth, Tex. 76101, and William W. Scott, 1625 Eye Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, including classes A and B explosives moving on Government bills of lading (except household goods as defined by the Commission, and book liquids), between points in Arkansas, Kentucky, Kansas, Texas, Louisiana, Illinois, Indiana, Missouri, and Oklahoma, on the one hand, and, on the other, points in the United States (except Arizona, California, Nevada, Utah, Washington, Alaska, and Hawaii).* NOTE: If a hearing is deemed necessary, applicant requests it be held

at Fort Worth or Dallas, Tex., or Oklahoma City, Okla.

#### MOTOR CARRIER OF PASSENGERS

No. MC 129644 (Sub-No. 2), filed April 14, 1969. Applicant: C & J TRAVEL, INC., 163 Central Avenue, Dover, N.H. 03820. Applicant's representative: Mary E. Kelley, 10 Tremont Street, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage in door-to-door service, limited to the transportation of not more than 17 passengers in one vehicle (not including the driver thereof and children under 10 years of age who do not occupy a seat or seats), in one way and round-trip charter operations, (a) between points in Strafford and Rockingham Counties, N.H., on the one hand, and, on the other, points in Maine, Vermont, Massachusetts, Rhode Island, Connecticut, and New York, and (b) between Logan International Airport at East Boston, Mass., on the one hand, and, on the other, points in New Hampshire.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

#### APPLICATION FOR BROKERAGE LICENSE

No. MC 130085, filed March 19, 1969. Applicant: TOURTIME TRAVEL, INC., 219 Main Street, Lakewood, N.J. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. For a license (BMC 5) to engage in operations as a *broker at Lakewood, N.J., in arranging for transportation in interstate or foreign commerce of passengers and their baggage, beginning at points in Ocean County, N.J., and that portion of Monmouth County, N.J., west of the New Jersey Garden State Parkway and south of New Jersey Highway 33, (1) in regular-route operations, (2) in irregular-route charter operations, in both one-way and round-trip service, and (3) in special operations, including so-called all expense sightseeing and pleasure tours, beginning and ending at the points specified above, all extending to points in the United States, including Alaska and Hawaii, in both one-way and round-trip service.*

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-5441; Filed, May 7, 1969; 8:45 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 5, 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. 41630—Sulphuric acid to Nashville, Tenn. Filed by O. W. South,



Jr., agent (No. A6094), for interested rail carriers. Rates on sulphuric acid, in tank carloads, as described in the application, from Cowan and Pepper, Va., to Nashville, Tenn.

Grounds for relief—Market competition.

Tariff—Supplement 76 to Southern Freight Association, agent, tariff ICC S-671.

FSA No. 41631—*Beet pulp from Lovell and Worland, Wyo.* Filed by Southwestern Freight Bureau, agent (No. B-33), for interested rail carriers. Rates on beet pulp, as described in the application, in carloads, from Lovell and Worland, Wyo., to points in southwestern territory.

Grounds for relief—Market competition, modified short-line distance formula and grouping.

Tariff—Supplement 5 to Southwestern Freight Bureau, agent, tariff ICC 4832.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[P.R. Doc. 69-5503; Filed, May 7, 1969;  
8:48 a.m.]

[Section 5a Application No. 99]

# **NEBRASKA MOTOR CARRIERS' ASSOCIATION PETROLEUM CARRIERS' CONFERENCE, INC.**

## **Notice of Application for Approval of Agreement**

MAY 6, 1969.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed: April 23, 1969, by: James E. Ryan, Attorney-in-Fact, 214 Sharp Building, Lincoln, Nebr. 68508.

Agreement between and among common carriers by motor vehicle governing the procedures for the joint consideration, initiation or establishment of rates, rules, regulations, and practices applicable to the transportation of commodities, in bulk, in tank vehicles, between points generally, but not limited to those, in the States of Arizona, Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming.

The complete application may be inspected at the Office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fully disclose their interest, and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigate

and determine the matters involved without public hearing.

[SEAL] H. NEIL GARSON,  
Secretary.

[P.R. Doc. 69-5504; Filed, May 7, 1969;  
8:48 a.m.]

[S.O. 1002; Car Distribution Direction  
No. 32-A]

## **ERIE-LACKAWANNA RAILWAY CO. ET AL.**

### **Car Distribution**

To: Erie-Lackawanna Railway Co., Chicago, Burlington & Quincy Railroad Co., Great Northern Railway Co.

Upon further consideration of Car Distribution Direction No. 32, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 32 be, and it is hereby vacated.

It is further ordered, That this order shall become effective at 11:59 p.m., May 4, 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., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[P.R. Doc. 69-5505; Filed, May 7, 1969;  
8:49 a.m.]

[S.O. 1002; Car Distribution Direction No. 54]

## **NORFOLK AND WESTERN RAILWAY CO. AND ATCHISON, TOPEKA AND SANTA FE RAILWAY CO.**

### **Car Distribution**

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Norfolk and Western Railway Co. shall deliver to the Atchison, Topeka and Santa Fe Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so

identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 5, 1969.

(4) Expiration date: This direction shall expire at 11:59 p.m., June 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

It is further ordered, That a copy of this direction 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 notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[P.R. Doc. 69-5506; Filed, May 7, 1969;  
8:49 a.m.]

[S.O. 1002; Car Distribution Direction No. 51]

## **ERIE-LACKAWANNA RAILWAY CO. AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.**

### **Car Distribution**

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Erie-Lackawanna Railway Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery



required for that period shall have been made.

*It is further ordered,* That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 5, 1969.

(4) Expiration date: This direction shall expire at 11:59 p.m., June 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

*It is further ordered,* That a copy of this direction 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 notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-5507; Filed, May 7, 1969;  
8:49 a.m.]

[S.O. 1002; Car Distribution Direction No. 52]

**PENN CENTRAL CO. AND CHICAGO,  
BURLINGTON & QUINCY RAIL-  
ROAD CO.**

#### Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

*It is ordered, That:*

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Penn Central Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

*It is further ordered,* That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so

that at the end of each 7 days the full delivery required for that period shall have been made.

*It is further ordered,* That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 5, 1969.

(4) Expiration date: This direction shall expire at 11:59 p.m., June 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

*It is further ordered,* That a copy of this direction 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 notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-5508; Filed, May 7, 1969;  
8:49 a.m.]

[S.O. 1002; Car Distribution Direction No. 53]

**PENN CENTRAL CO. AND CHICAGO,  
ROCK ISLAND AND PACIFIC RAIL-  
ROAD CO.**

#### Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

*It is ordered, That:*

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Penn Central Co., shall deliver to the Chicago, Rock Island and Pacific Railroad Co., a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

*It is further ordered,* That the rate of delivery specified in this direction shall

be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

*It is further ordered,* That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 5, 1969.

(4) Expiration date: This direction shall expire at 11:59 p.m., June 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

*It is further ordered,* That a copy of this direction 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 notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-5509; Filed, May 7, 1969;  
8:49 a.m.]

[S.O. 1002; Car Distribution Direction  
No. 34-A]

**PENN CENTRAL CO. ET AL.**

#### Car Distribution

To: Penn Central Co., Chicago, Burlington & Quincy Railroad Co., Great Northern Railway Co.

Upon further consideration of Car Distribution Direction No. 34; and good cause appearing therefor:

*It is ordered, That:*

Car Distribution Direction No. 34 be, and it is hereby vacated.

*It is further ordered,* That this order shall become effective at 11:59 p.m., May 4, 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., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-5510; Filed, May 7, 1969;  
8:49 a.m.]

[S.O. 1002; Car Distribution Direction  
No. 36-A]

#### PENN CENTRAL CO. ET AL.

##### Car Distribution

To: Penn Central Co., Chicago, Burlington & Quincy Railroad Co., Northern Pacific Railway Co.

Upon further consideration of Car Distribution Direction No. 36, and good cause appearing therefor:

*It is ordered, That:*

Car Distribution Direction No. 36 be, and it is hereby vacated.

*It is further ordered, That* this order shall become effective at 11:59 p.m., May 4, 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., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-5511; Filed, May 7, 1969;  
8:49 a.m.]

[S.O. 1002; Car Distribution Direction No. 50]

#### SEABOARD COAST LINE RAILROAD CO. ET AL.

##### Car Distribution

To: Seaboard Coast Line Railroad Co., Norfolk and Western Railway Co., Chicago, Burlington & Quincy Railroad Co.

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and au-

thority vested in me by Interstate Commerce Commission Service Order No. 1002.

*It is ordered, That:*

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Seaboard Coast Line Railroad Co. shall deliver to the Norfolk and Western Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

(b) The Norfolk and Western Railway Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exceptions: Canadian ownerships.

*It is further ordered, That* the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

*It is further ordered, That* cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(c) The carriers delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(d) The carriers receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) Effective date: This direction shall become effective at 12:01 a.m., May 5, 1969.

(4) Expiration date: This direction shall expire at 11:59 p.m., June 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

*It is further ordered, That* a copy of this direction 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 notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-5512; Filed, May 7, 1969;  
8:49 a.m.]

[S.O. 1002; Car Distribution Direction  
No. 37-A]

#### SEABOARD COAST LINE RAILROAD CO. ET AL.

##### Car Distribution

To: Seaboard Coast Line Railroad Co., Norfolk and Western Railway Co., Chicago, Burlington & Quincy Railroad Co., Northern Pacific Railway Co.

Upon further consideration of Car Distribution Direction No. 37, and good cause appearing therefor:

*It is ordered, That:*

Car Distribution Direction No. 37 be, and it is hereby vacated.

*It is further ordered, That* this order shall become effective at 11:59 p.m., May 4, 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., May 2, 1969.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[F.R. Doc. 69-5513; Filed, May 7, 1969;  
8:49 a.m.]

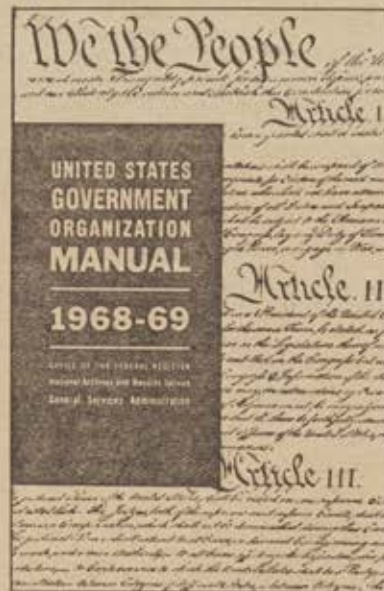


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