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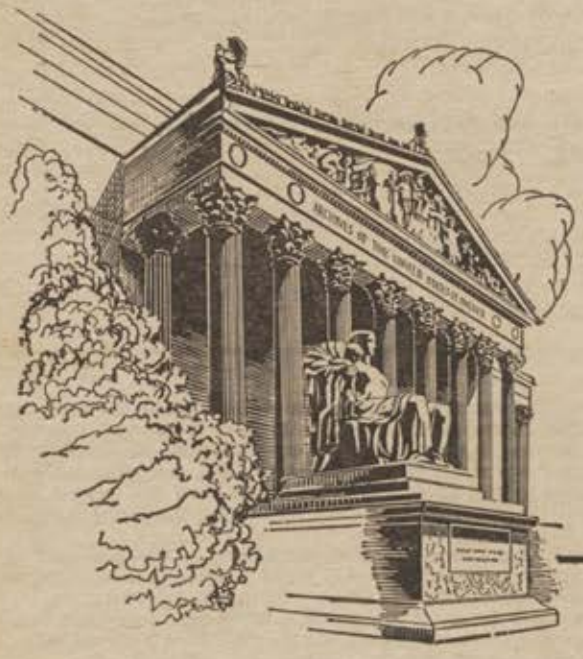

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Title 3—THE PRESIDENT

Proclamation 3933

NATIONAL FARM-CITY WEEK, 1969

By the President of the United States of America

A Proclamation

As our society becomes more complex, it also grows more interdependent. The behavior of each individual has a direct impact on the lives of others. What happens in one area of the country affects events in other areas. Occurrences in every walk of life and every section of society are inextricably intertwined.

One significant example of such interconnections can be found in the interdependence of urban and rural America. It is important that the people of our country come to understand that interdependence more fully than we do at present.

It is not well known for instance that agriculture serves as a $50 billion customer to our economy. The marketing and processing of food and fiber provide almost 5 million non-farm jobs and a $25 billion annual payroll. At the same time, technological changes on the farm have so increased agricultural efficiency that record production has been achieved by fewer people. Many rural residents have therefore migrated to the cities. While some have become productive contributors to urban society, many others have been unable to find new economic roles.

The relationship between urban and rural America will never be constant—but it will always be important. It will always require close examination and careful rethinking. It is to that end that I, RICHARD NIXON, President of the United States of America do hereby designate the week of November 21 through November 27, 1969, as National Farm-City Week. I call upon all Americans to participate in this observance.

I particularly urge the Department of Agriculture, the land-grant colleges and universities, the Cooperative Extension Service, and other appropriate organizations to carry out programs to mark this occasion, including public meetings and exhibits, and presentations in newspapers and in magazines, on radio and on television.

I urge that such programs emphasize:

—the development of better understanding and more effective working relationships between those who live on the farm and those who live in non-farm areas;

—the enormous scientific and technological advances in agriculture and their significance for the lives of both rural and urban dwellers;

—the vital need to plan more effectively the way we will use our land, conserve our natural resources, and protect the quality of our environment;

—the importance of maintaining and enhancing the social and economic health of farms and rural communities;

—the urgency of providing opportunities for disadvantaged people in both rural and urban areas to participate more fully in the economic life of the nation.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of September, in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-fourth.

Richard Nixon

[F.R. Doc. 69-11250; Filed, Sept. 17, 1969; 10:04 a.m.]

Memorandum of September 16, 1969

[DIRECTION TO COORDINATE ACTIVITIES BETWEEN THE FEDERAL GOVERNMENT AND GOVERNOR'S EMERGENCY COUNCIL IN REHABILITATING THAT AREA OF MISSISSIPPI DEVASTATED BY HURRICANE CAMILLE]

Memorandum for the Heads of Executive Departments and Agencies

THE WHITE HOUSE,
Washington, September 16, 1969.

In order to insure an orderly and systematic rehabilitation and redevelopment of that area of the State of Mississippi devastated by Hurricane Camille, and pursuant to the request of the Honorable John Bell Williams, Governor of the State of Mississippi, that all related Federal programs of assistance to that area be coordinated through the Governor's Emergency Council, created under the authority of Executive Order 49 of the State of Mississippi, dated September 9, 1969,

I HEREBY DIRECT all agencies and departments of the Government of the United States which are involved in Federal assistance programs relating to that area of Mississippi affected by Hurricane Camille to coordinate their activities and efforts through the aforementioned Governor's Emergency Council.

In order to facilitate communication and coordination between the various agencies and departments of the Federal Government and the aforementioned Governor's Emergency Council and to establish an effective Federal-State cooperative effort,

I HEREBY DESIGNATE Mr. Fred LaRue to be official liaison between the Council and the various Federal departments and agencies involved.

This memorandum shall be published in the FEDERAL REGISTER.

Richard Nixon

[F.R. Doc. 69-11279; Filed, Sept. 17, 1969; 11:12 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Section 213.3102 is amended to remove the time limitation on use of the Schedule A authority for employment of the mentally retarded under written agreements between Federal agencies and the Civil Service Commission. Effective on publication in the FEDERAL REGISTER, paragraph (t) of § 213.3102 is amended as set out below.

§ 213.3102 Entire executive civil service.

* * * * *

(t) Positions when filled by mentally retarded persons in accordance with written agreements executed between an agency and the Commission. Provisions to be included in such agreements are specified in the Federal Personnel Manual.

* * * * *

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69–11146; Filed, Sept. 17, 1969; 8:48 a.m.]

Title 7—AGRICULTURE

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

[Amdt. 3]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Container and Pack Regulations

On September 6, 1969, notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 14129) that consideration was being given to a proposed amendment of § 906.340 *Container and pack regulations* (Subpart—Container and Pack Requirements), which was recommended by the Texas Valley Citrus Committee, established pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the lower Rio Grande Valley in Texas. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the recommendation and information submitted by the Texas Valley Citrus Committee (established pursuant to the amended marketing agreement and order), and other available information, it is hereby found and determined that the amended § 906.340 *Container and pack regulations*, as hereinafter set forth, is in accordance with the provisions of the said amended marketing agreement and order and will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for not postponing the effective date of this regulation until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) notice of proposed rule making concerning this amendment, with an effective date of September 15, 1969, was published in the FEDERAL REGISTER on September 6, 1969 (34 F.R. 14129), and no objection to this amendment or such effective date was received; (2) the recommendation and supporting information for this amendment were submitted to the Department after an open meeting of the Texas Valley Citrus Committee on August 5, 1969, which was held to consider recommendations for such amendment, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; (3) the provisions of this amendment are identical with the aforesaid recommendation of August 5, 1969, of the committee and the effective date is September 19, 1969, thereby affording an additional period of time for handlers to conduct their operation accordingly; (4) information concerning such provisions has been disseminated among handlers of oranges and grapefruit in Texas; (5) compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof, which effective time is necessary in order to effectuate the declared policy of the act; and (6) shipments of the current crop of oranges and grapefruit grown in Texas are expected to be in progress on or about the effective date hereof, and this amendment should be effective by such time so as to cover, to the fullest extent practicable, all such shipments, thereby tending to effectuate the declared policy of the act.

The recommendation of the Texas Valley Citrus Committee reflects its appraisal of the crop and of the need for the prescribed marking requirements. The marking requirements for containers as provided herein are necessary to prevent possible misrepresentation of the quality of the oranges and grapefruit in such containers.

The amendment changes the section title and introductory language of paragraph (a) of § 906.340 and adds a new paragraph (a)(3) thereto.

The section title and the introductory language of paragraph (a) of § 906.340 *Container and pack regulations* (34 F.R. 5374) are amended, and a new paragraph (a)(3) is added to § 906.340, to read as follows:

§ 906.340 Container, pack, and container marking regulations.

(a) *Order.* Except as otherwise provided herein or by, or pursuant to, the provisions of Marketing Agreement No. 141, as amended, and this part, regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, no handler shall, on and after September 19, 1969, handle any fruit unless such fruit is in one or more of the following containers, and the pack of such fruit and the markings on the containers conform to all applicable requirements of this section:

* * * * *

(3) *Container grade markings.* Any container of U.S. No. 2 grade fruit, other than bags having a capacity of 5 or 8 pounds, shall be marked with such grade the letters thereof being not less than three-fourths inch in height.

* * * * *

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

Dated, September 16, 1969, to become effective September 19, 1969.

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

[F.R. Doc. 69–11223; Filed, Sept. 17, 1969; 8:50 a.m.]

[Valencia Orange Reg. 294]

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

Limitation of Handling

§ 908.594 Valencia Orange Regulation 294.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), 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 September 16, 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 September 19, 1969, through September 25, 1969, are hereby fixed as follows:

(i) District 1: 500,000 cartons;

(ii) District 2: 417,684 cartons;

(iii) District 3: 13,000 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: September 17, 1969.

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

[F.R. Doc. 69-11280; Filed, Sept. 17, 1969; 11:24 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Z]

PART 226—TRUTH IN LENDING

Miscellaneous Interpretations

Interpretation § 226.405 is amended to read as follows:

§ 226.405 Property insurance written in connection with a transaction—obtained from or through the creditor.

(a) Footnote 4 to § 226.4(a)(6) specifies that a policy of insurance against loss or damage to property or liability arising out of its use is not considered to be "written in connection with" a transaction when it "* * * was not purchased by the customer for the purpose of being used in connection with that extension of credit." Therefore, whenever such a policy is purchased by the customer for the purpose of being used in connection with a specific extension of credit, it is insurance "written in connection with" that transaction.

(b) If the customer elects to purchase such insurance otherwise than from or through the creditor, the creditor is not required to disclose the cost of the insurance or include the premium in the finance charge. However, if the cost of such insurance is to be financed through the creditor, the premiums must be included in the "amount financed" and disclosed under § 226.8 (c)(4) or (d)(1), as the case may be.

(Interprets and applies 15 U.S.C. 1605)

§ 226.504 Treatment of "pick-up payment" in an installment contract.

(a) In some instances involving an installment contract arising from a credit sale, the purchaser may not pay the full amount of the required downpayment at the time he signs the contract or otherwise enters into the credit transaction. In such cases, the creditor may include in the installment contract or accept a separate obligation for the unpaid portion of the downpayment, commonly called a "pick-up payment," the amount of which usually carries no finance charge and it is to be paid on or before a specified date independent of the other scheduled payments.

(b) The question arises whether the "pick-up payment" must be treated as part of the "amount financed" for purposes of disclosure and determination of the "annual percentage rate" or whether it may be treated as a deferred portion of the downpayment.

(c) In determining the "amount financed" the creditor may exclude the amount of the "pick-up payment" provided that:

(1) The amount of the finance charge applicable to the transaction does not exceed the amount that would have been imposed had the required downpayment been paid in full upon consummation of the transaction; and

(2) The due date of the "pick-up payment" is not later than the due date of the second payment otherwise scheduled.

(d) In making the disclosures required under § 226.8(b)(3), if such "pick-up payment" is more than twice the amount of an otherwise regularly scheduled equal payment, the creditor shall state the conditions, if any, under which such "pick-up payment" may be refinanced if not paid when due; and such "pick-up payment" may be identified using that term or the term "balloon payment."

(Interprets and applies 15 U.S.C. 1606)

§ 226.505 Application of the minor irregularities provisions in determining the amount of the finance charge.

(a) Some creditors calculate finance charges in a credit transaction on the basis of predetermined percentage rate or rates, e.g., 1 percent per month on the unpaid balances. Determination of the amount of the finance charge is fairly routine for these creditors if the contracts are written for regular payments at regular intervals. However, many times the first payment may be irregular either in amount or payment period, or both, especially in those instances where creditors require payments to fall due on fixed dates or those who are paid by means of payroll deductions. The minor irregularities provisions of § 226.5(d) of the Regulation and § 226.503 of the interpretations to Regulation Z, which pertain to the determination of the annual percentage rate, also apply to the determination of the finance charge. For convenient reference, the applicable provisions of §§ 226.5(d) and 226.503 as they apply to the determination of the finance charge are set forth below.

(b) In determining the finance charge, a creditor may, at his option, consider the payment irregularities set forth below in subparagraphs (1) and (2) of this paragraph as if they were regular in amount or time, as applicable, provided that the transaction to which they relate is otherwise payable in equal installments scheduled at equal intervals.

(1) If the period from the date on which the finance charge begins to accrue and the date the final payment is due is not less than 3 months in the case of weekly payments, 6 months in the case of biweekly or semimonthly payments, or 1 year in the case of monthly payments either or both of the following:

(i) The amount of one payment other than any downpayment is not more than 50 percent greater nor 50 percent less than the amount of a regular payment; or

(ii) The interval between the date on which the finance charge begins to accrue and the date the first payment is due is not less than 5 nor more than 12 days for an obligation otherwise payable in weekly installments, not less than 10 nor more than 25 days for an obligation otherwise payable in biweekly or semimonthly installments, or not less than 20 nor more than 50 days for an obligation otherwise payable in monthly installments.

(2) If the period from the date on which the finance charge begins to accrue and the date the final payment is due is less than 3 months in the case of weekly payments, 6 months in the case of biweekly or semimonthly payments, or 1 year in the case of monthly payments, either or both of the following:

(i) The amount of one payment other than any downpayment is not more than 25 percent greater nor 25 percent less than the amount of a regular payment; or

(ii) The interval between the date on which the finance charge begins to accrue and the date the first payment is due is not less than 6 nor more than 10 days for an obligation otherwise payable in weekly installments, not less than 12 nor more than 21 days for an obligation otherwise payable in biweekly or semimonthly installments, or not less than 25 nor more than 42 days for an obligation otherwise payable in monthly installments.

(e) For the purposes of § 226.8(b)(3) in disclosing the number, amount and due dates or periods of payments scheduled to repay the indebtedness and the "total of payments," the creditor may treat such irregular payments or payment periods, or both, as if they were regular. If the creditor so elects, he may indicate the exact amount or payment period involved in the minor irregularity.

(Interprets and applies to 15 U.S.C. 1605)

Dated at Washington, D.C., the 11th day of September 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-11105; Filed, Sept. 17, 1969; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9848; Amdt. 39-844]

PART 39—AIRWORTHINESS DIRECTIVES

SIAI Marchetti Model S.205-22/R Airplanes Serial Numbers 011 Through 5-303

There have been reports of permanent deformation to the engine control support console which could cause interference between the engine controls located behind the instrument panel and the elevator control column on certain SIAI Marchetti Model S.205-22/R airplanes. This could result in insufficient elevator control during landing flare. In view of the serious consequences of such a condition and since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive (AD) is being issued to require repetitive inspection of the engine control support console for deformation and the elevator control for unrestrictive travel until propeller control strut P/N 205-6-179-01 is installed.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure are impracticable and good cause exists for making this amendment effective in less than 30 days.

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

SIAI MARCHETTI. Applies to Model S.205-22/R airplanes, Serial Nos. 001 through 5-303. Compliance required as indicated unless already accomplished.

To prevent interference between the engine controls located behind the instrument panel and the elevator control column accomplish the following:

(a) Before further flight after the effective date of this AD and thereafter at each preflight inspection, visually inspect the engine control support console for deformation and check the elevator control to assure freedom of movement and unrestricted travel.

(b) If deformation of the engine control support console or restricted elevator travel is found during the inspections required in paragraph (a), comply with paragraph (d) before further flight.

(c) Unless already accomplished in accordance with paragraph (b), comply with paragraph (d) within the next 300 hours' time in service after the effective date of this AD.

(d) Install propeller control strut P/N 205-6-179-01, in accordance with SIAI Service Bulletin No. 205B22A dated July 5, 1969, or later RAI-approved revision, or an FAA-approved equivalent.

(e) The repetitive inspections required by paragraph (a) may be discontinued following the incorporation of the modification required by paragraph (d).

This amendment becomes effective September 23, 1969.

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

Issued in Washington, D.C., on September 11, 1969.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 69-11133; Filed, Sept. 17, 1969; 8:47 a.m.]

[Airspace Docket No. 69-CE-76]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Domestic Low Altitude Reporting Point

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Charlo DME Intersection.

Since this amendment is minor in nature and effects no substantive change in the regulation, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 13, 1969, as hereinafter set forth.

Section 71.203 (34 F.R. 4792) is amended by adding the following:

Charlo DME INT: Missoula, Mont., VORTAC 354° radial, 34 nautical miles from Missoula VORTAC.

(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 September 12, 1969.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 69-11134; Filed, Sept. 17, 1969; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Disclosure of Foreign Origin Required in Mail Order Advertising

§ 15.369 **Disclosure of foreign origin required in mail order advertising.**

(a) The Commission rendered an advisory opinion to an importer of women's panty hose that it would be necessary to make a clear and conspicuous disclosure of the foreign origin of the hose in all mail order promotional material.

(b) Under the factual situation presented to the Commission, the importer proposes to purchase the wearing apparel in West Germany for resale in the United States through the mail. The hose will be plainly marked with a "Made in Free West Germany" tab sewn into the back of the garment, and the same disclosure will also be made on a paper sticker attached to the front of each cellophane bag containing the hose.

(c) Concluding that a disclosure would be required, the Commission said: "The underlying reason for the disclosure requirement is that mail order purchasers do not have the opportunity to inspect the merchandise prior to the purchase thereof and be apprised of a material fact bearing upon their selection."

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

Issued: September 17, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-11139; Filed, Sept. 17, 1969; 8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Origin of Cashmere Sweaters

§ 15.370 Origin of cashmere sweaters.

(a) The Commission advised an importer of cashmere sweaters that it would not be necessary, under section 5 of the FTC Act, to disclose they were knitted in Hong Kong or that the yarn was spun in Japan, in the absence of an affirmative representation that the sweaters are entirely of domestic origin.

(b) Under the factual situation presented to it, the sweaters will be knitted in Hong Kong from yarn which is spun in Japan. Thereafter, the sweaters will be shipped to a plant in the United States where they will be scoured, dyed, zippers added, steamed, and pressed.

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

Issued: September 17, 1969.

By direction of the Commission.[1]

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-11138; Filed, Sept. 17, 1969; 8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

PLASTICIZERS IN POLYMERIC SUBSTANCES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 5B1716) filed jointly by Union Carbide Corp., Post Office Box 65, Tarrytown, N.Y. 10592, and Emery Industries Inc., Carew Tower, Cincinnati, Ohio 45202, and other relevant material, concludes that § 121.2511 should be amended to provide for the safe use of di(2-ethylhexyl) azelate and for additional safe uses of di-*n*-hexyl azelate as plasticizers in polymeric substances for food-contact use. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2511(b) is amended in the list of substances by alphabetically inserting a new item and by revising the item "Di-*n*-hexyl azelate," as follows:

§ 121.2511 Plasticizers in polymeric substances.

* * * * *

(b) List of substances:

	Limitations
* * *	* * *
Di(2-ethylhexyl) azelate	For use only: 1. At levels not exceeding 24 percent by weight of permitted vinyl chloride homo- and/or copolymers used in contact with nonfatty, nonalcoholic food. The average thickness of such polymers in the form in which they contact food shall not exceed 0.003 inch. 2. At levels not exceeding 24 percent by weight of permitted vinyl chloride homo- and/or copolymers used in contact, under conditions of use F and G described in table 2 of § 121.2526(c), with fatty, nonalcoholic food having a fat and oil content not exceeding a total of 30 percent by weight. The average thickness of such polymers in the form in which they contact food shall not exceed 0.003 inch.
Di-*n*-hexyl azelate	For use only: 1. In polymeric substances used in contact with nonfatty food. 2. In polymeric substances used in contact with fatty food and limited to use at levels not exceeding 15 percent by weight of such polymeric substance except as provided under limitation 3. 3. At levels greater than 15 but not exceeding 24 percent by weight of permitted vinyl chloride homo- and/or copolymers used in contact, under conditions of use F or G described in table 2 of § 121.2526(c), with fatty food having a fat and oil content not exceeding a total of 30 percent by weight. The average thickness of such polymers in the form in which they contact food shall not exceed 0.003 inch.
* * *	* * *

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: September 10, 1969.

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

[F.R. Doc. 69-11111; Filed, Sept. 17, 1969; 8:45 a.m.]

Title 22—FOREIGN RELATIONS

Chapter II—Agency for International Development, Department of State

[A.I.D. Reg. 1]

PART 201—RULES AND PROCEDURES APPLICABLE TO COMMODITY TRANSACTIONS FINANCED BY A.I.D.

Revision of Procedure for Consideration of Late Bids

Paragraph (a) of § 201.22 of Part 201 of Chapter II, Title 22 (A.I.D. Regulation 1) is amended by adding the following subparagraph (4):

§ 201.22 Formal competitive bid procedures.

* * * * *

(a) *Contents of the invitation for bids.* * * *

(4) *Statement regarding late bids.* The invitation for bids shall state that no bid received at the address designated in the invitation after closing hour and date for submission will be considered for award unless its late arrival at that address is attributable to mishandling of the bid documents by the purchaser or any of his agents directly associated with receiving or processing bids. In no case will the purchaser consider a bid which was not received at the place of

[1] Commissioner MacIntyre did not concur in this opinion.

public opening before the award was made.

* * * * *

The foregoing will become effective October 1, 1969.

Dated: September 10, 1969.

JOHN A. HANNAH,
Administrator.

[F.R. Doc. 69-11132; Filed, Sept. 17, 1969; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-7—CONTRACT CLAUSES

Subpart 9-7.50—Use of Standard Clauses

MISCELLANEOUS AMENDMENTS

AECPR 9-7.5004-24 and -25 have been revised to make them consistent with amendments to the Price-Anderson Act contained in Public Law 89-645 and implemented in 10 CFR Part 140.

1. Section 9-7.5004-24, *Nuclear hazards indemnity*, is revised to read as follows:

§ 9-7.5004-24 Nuclear hazards indemnity.

(a) This article is incorporated into this contract pursuant to the authority contained in subsection 170(d) of the Atomic Energy Act of 1954, as amended (hereinafter called the Act.)

(1) The definitions set out in the Act shall apply to this article.

(2) The term "contract location" means any Commission facility, installation, or site at which contractual activity under this contract is being carried on, and any Contractor-owned or Contractor-controlled facility, installation, or site at which the Contractor is engaged in the performance of contractual activity under this contract.

(3) The term "extraordinary nuclear occurrence" means an event which the Commission has determined to be an extraordinary nuclear occurrence as defined in the Act. A determination of whether or not there has been an extraordinary nuclear occurrence will be made in accordance with the procedures in Subpart E of 10 CFR 140.

(b) Except as hereafter permitted or required in writing by the Commission, the Contractor will not be required to provide or maintain, and will not provide or maintain at Government expense, any form of financial protection to cover public liability. The Commission may at any time require in writing that the Contractor provide and maintain financial protection of such a type and in such amount as the Commission shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity, provided that the costs of such financial protection will be reimbursed to the Contractor by the Commission.

(c) (1) To the extent that the Contractor and other persons indemnified are not compensated by any financial protection permitted or required by the Commission, the Commission will indemnify the Contractor, and other persons indemnified, against (i) claims for public liability as described in subparagraph (2) of this paragraph (c); and (ii) the reasonable costs of investigating and settling claims, and defending suits for damage for such public liability, provided that the Commission's liability, including such reasonable costs, under all indemnity agreements entered into by the Commission under section 170 of the Act, including this contract, shall not exceed $500 million in the aggregate for each nuclear incident occurring within the United States or $100 million in the aggregate for each nuclear incident occurring outside the United States, irrespective of the number of persons indemnified in connection with this contract.

(2) The public liability referred to in paragraph (c)(1) of this section is public liability which (i) arises out of or in connection with the contractual activity; and (ii) arises out of or results from:

(A) A nuclear incident which takes place at a contract location;

(B) A nuclear incident which takes place at any other location and arises out of or in the course of the performance of contractual activity under this contract by the Contractor's employees, individual consultants, borrowed personnel or other persons for the consequences of whose acts or omissions the Contractor is liable, provided that such incident is not covered by any other indemnity agreement entered into by the Commission pursuant to section 170 of the Act; or

(C) A nuclear incident which arises out of or in the course of transportation of source, special nuclear, or byproduct materials to or from a contract location; provided such incident is not covered by any indemnity agreement entered into by the transporting carrier, or with a carrier's organization acting for the benefit of the transporting carrier, or with a licensee of the Commission, pursuant to section 170 of the Act; or

(D) A nuclear incident which involves items (such as equipment, material, facilities, or design or other data) produced or delivered under this contract, provided such incident is not covered by any other indemnity agreement entered into by the Commission pursuant to section 170 of the Act.

(d) In the event of an extraordinary nuclear occurrence which:

(1) Arises out of or results from or occurs in the course of the construction, possession, or operation of a production or utilization facility; or

(2) Arises out of or results from or occurs in the course of transportation of source material, byproduct material, or special nuclear material to or from a production or utilization facility; or

(3) During the course of the contract activity arises out of or results from the possession, operation, or use by the Contractor or a subcontractor of a device utilizing special nuclear material or byproduct material;

the Commission, and the Contractor on behalf of itself and other persons indemnified, insofar as their interests appear, each agree to waive:

(A) Any issue or defense as to the conduct of the claimant or fault of persons indemnified, including, but not limited to:

(*1*) Negligence;

(*2*) Contributory negligence;

(*3*) Assumption of the risk;

(*4*) Unforeseeable intervening causes, whether involving the conduct of a third person or an act of God.

As used herein, "conduct of the claimant" includes conduct of persons through whom the claimant derives his cause of action;

(B) Any issue or defense as to charitable or governmental immunity;

(C) Any issue or defense based on any statute of limitations if suit is instituted within 3 years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof, but in no event more than 10 years after the date of the nuclear incident.

The waiver of any such issue or defense shall be effective regardless of whether such issue or defense may otherwise be deemed jurisdictional or relating to an element in the cause of action. The waivers shall be judicially enforceable in accordance with their terms by the claimant against the person indemnified.

(e) The waivers set forth in paragraph (d) of this article:

(1) Shall not preclude a defense based upon a failure to take reasonable steps to mitigate damages;

(2) Shall not apply to injury or damage to a claimant or to a claimant's property which is intentionally sustained by the claimant or which results from a nuclear incident intentionally and wrongfully caused by the claimant;

(3) Shall not apply to injury to a claimant who is employed at the site of and in connection with the activity where the extraordinary nuclear occurrence takes place if benefits therefor are either payable or required to be provided under any workmen's compensation or occupational disease law;

(4) Shall not apply to any claim for punitive or exemplary damages, provided, with respect to any claim for wrongful death under any State law which provides for damages only punitive in nature, this exclusion does not apply to the extent that the claimant has sustained actual damages, measured by the pecuniary injuries resulting from such death but not to exceed the maximum amount otherwise recoverable under such law;

(5) Shall not apply to any claim resulting from a nuclear incident occurring outside the United States;

(6) Shall be effective only with respect to those obligations set forth in this agreement and in insurance policies, contracts, or other proof of financial protection;

(7) Shall not apply to, or prejudice the prosecution or defense of, any claim or portion of claim which is not within the protection afforded under (i) the limit of liability provisions under subsection 170e. of the Atomic Energy Act of 1954, as amended, and (ii) the terms of this agreement and the terms of insurance policies, contracts, or other proof of financial protection.

(f) The Contractor shall give immediate written notice to the Commission of any known action or claim filed or made against the Contractor or other person indemnified for public liability as defined in paragraph (2) of section (c). Except as otherwise directed by the Commission, the Contractor shall furnish promptly to the Commission copies of all pertinent papers received by the Contractor or filed with respect to such actions or claims. When the Commission shall determine that the Government will probably be required to make indemnity payments under the provisions of section (c) above, the Commission shall have the right to, and shall, collaborate with the Contractor and any other person indemnified in the settlement or defense of any action or claim and shall have the right (1) to require the prior approval of the Commission for the payment of any claim that the Commission may be required to indemnify hereunder, and (2) to appear through the Attorney General on behalf of the Contractor or other person indemnified in any action brought upon any claim that the Commission may be required to indemnify hereunder, take charge of such action, and settle or defend any such action.

If the settlement or defense of any such action or claim is undertaken by the Commission, the Contractor or other person indemnified shall furnish all reasonable assistance in effecting a settlement or asserting a defense.

(g) The indemnity provided by this article shall not apply to public liability arising out of or in connection with any activity that is performed at a licensed facility, and that is covered by a Commission indemnity agreement authorized by section 170 of the Act.

(h) The obligations of the Commission under this article shall not be affected by any failure on the part of the Contractor to fulfill its obligation under this contract, and shall be unaffected by the death, disability, or termination of existence of the Contractor or by the completion, termination or expiration of this contract.

(i) The parties to this contract enter into this article upon the condition that this article may be amended at any time by the mutual written agreement of the Commission and the Contractor and that such amendment may, by its express terms, provide that it will apply to any nuclear incidents which occur thereafter.

(j) The provisions of this article shall not be limited in any way by, and shall be interpreted without reference to, any other article of this contract [, including Article ------, Disputes]; provided, however, that the following provisions of this contract: Article ------, Covenant Against Contingent Fees; Article ------, Officials Not to Benefit; Article ------, Assignment; and Article ------, Examination of Records; and any provisions later added to this contract which, under applicable Federal law, including statutes, executive orders and regulations, are required to be included in agreements of the type contained in this article, shall apply to this article.

(k) (The following section will be included in those contracts containing indemity agreements executed under the general contract authority of the AEC.)

To the extent that the Contractor is compensated by any financial protection, or is indemnified pursuant to this article, or is effectively relieved of public liability by an order or orders limiting same pursuant to section 170e of the Atomic Energy Act of 1954 as amended, the provisions of Article ------ (General Authority Indemnity) shall not apply.

2. In § 9–7.5004–25, *Nuclear hazards indemnity—product liability*, paragraph (d) is revised to read as follows:

§ 9–7.5004–25 Nuclear hazards indemnity—product liability.

* * * * *

(d) The Contractor shall give immediate written notice to the Commission of any known action or claim filed or made against the Contractor or other person indemnified for public liability as defined in paragraph (2) of section (c). Except as otherwise directed by the Commission, the Contractor shall furnish promptly to the Commission copies of all pertinent papers received by the Contractor or filed with respect to such actions or claims. When the Commission shall determine that the Government will probably be required to make indemnity payments under the provisions of section (c) above, the Commission shall have the right to, and shall, collaborate with the Contractor and any other person indemnified in the settlement or defense of any action or claim and shall have the right (1) to require the prior approval of the Commission for the payment of any claim that the Commission may be required to indemnify hereunder, and (2) to appear through the Attorney General on behalf of the Contractor or other person indemnified in any action brought upon any claim that the Commission may be required to indemnify hereunder, take charge of such action, and settle or defend any such action. If the settlement or defense of any such action or claim is undertaken by the Commission, the Contractor or other person indemnified shall furnish all reasonable assistance in effecting a settlement or asserting a defense.

* * * * *

§ 9–7.5005–12 [Deleted]

3. Section 9–7.5005–12, *Price adjustment for suspension, delay, or interruption of work (construction contracts)*, is deleted and reserved.

4. In § 9–7.5006–47, *Safety, health, and fire protection*, paragraphs (a), (b), and (c) of Note A are amended and Note C is added, as follows:

§ 9–7.5006–47 Safety, health, and fire protection.

* * * * *

NOTE A: * * *

(a) In all contracts or subcontracts involving construction, all contracts or subcontracts involving use or possession of source, byproduct or special nuclear material or of production or utilization facilities which are exempt from AEC licensing requirements by AEC regulation or for which an exemption from AEC licensing has been granted by the General Manager or his designee (Ref.: 10 CFR Parts 30, 40, 50, and 70), and in all other contracts or subcontracts involving work to be performed at an AEC-owned or AEC-controlled site (an AEC-controlled site is a site leased or otherwise made available to the Government under terms which afford to the Commission rights of access and control substantially equal to those which the Commission would possess if it were the holder of the fee as agent of and on behalf of the Government);

(b) In all contracts or subcontracts involving the use of an AEC-owned particle accelerator.

* * * * *

NOTE C: If a deviation is made in the article by the Manager of the Field Office, a copy of the modified clause should be forwarded to the Director, Division of Operational Safety, HQ.

5. In § 9–7.5006–50, *Litigation and claims*, paragraph (a), *Initiation of litigation*, is revised to read as follows:

§ 9–7.5006–50 Litigation and claims.

(a) *Initiation of litigation.* The contractor may, with the prior written authorization of the Contracting Officer, and shall, upon the request of the Government, initiate litigation against third parties, including proceedings before administrative agencies, in connection with this contract. The contractor shall proceed with such litigation in good faith and as directed from time to time by the Contracting Officer.

* * * * *

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 11th day of September 1969.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[F.R. Doc. 69–11103; Filed, Sept. 17, 1969; 8:45 a.m.]

Title 42—PUBLIC HEALTH

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

SUBCHAPTER G—PREVENTION, CONTROL, AND ABATEMENT OF AIR POLLUTION

PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

Metropolitan Indianapolis Intrastate Region

On May 23, 1969, notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 8122) to amend Part 81 by designating the Metropolitan Indianapolis Intrastate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, and a consultation with appropriate State and local authorities pursuant to section 107(a) of the Clean Air Act (42 U.S.C. 1857c–2(a)) was held on June 10, 1969. Due consideration has been given to all relevant material presented.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 81.29, as set forth below, designating the Metropolitan Indianapolis Intrastate Air Quality Control Region, is adopted effective on publication.

§ 81.29 Metropolitan Indianapolis Intrastate Air Quality Control Region.

The Metropolitan Indianapolis Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Indiana:

Boone County.	Johnson County.
Hamilton County.	Marion County.
Hancock County.	Morgan County.
Hendricks County.	Shelby County.

(Secs. 107(a), 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857c–2(a), 1857g(a))

Dated: September 15, 1969.

ROBERT H. FINCH,
Secretary.

[F.R. Doc. 69–11189; Filed, Sept. 17, 1969; 8:50 a.m.]

PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

Metropolitan Milwaukee Intrastate Region

On July 8, 1969, notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 11317) to amend Part 81 by designating the Metropolitan Milwaukee Intrastate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, and a consultation with appropriate State and local authorities pursuant to section 107(a) of the Clean Air Act (42 U.S.C. 1857c-2(a)) was held on July 21, 1969. Due consideration has been given to all relevant material presented.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 81.30, as set forth below, designating the Metropolitan Milwaukee Intrastate Air Quality Control Region, is adopted effective on publication.

§ 81.30 Metropolitan Milwaukee Intrastate Air Quality Control Region.

The Metropolitan Milwaukee Intrastate Air Quality Control Region (Wisconsin) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Wisconsin:

Kenosha County.	Walworth County.
Milwaukee County.	Washington County.
Ozaukee County.	Waukesha County.
Racine County.	

(Secs. 107(a), 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857c-2(a), 1857g(a))

Dated: September 15, 1969.

ROBERT H. FINCH,
Secretary.

[F.R. Doc. 69-11188; Filed, Sept. 17, 1969; 8:50 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Montezuma National Wildlife Refuge, N.Y.

The following special regulation is issued and effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

NEW YORK

MONTEZUMA NATIONAL WILDLIFE REFUGE

The public hunting of ducks, geese (except snow geese), brant, gallinules, and coots on the Montezuma National Wildlife Refuge, N.Y., is permitted on the areas designated by the signs as open to waterfowl hunting. Hunting is permitted only during the regular waterfowl season. This waterfowl hunting area known as the Storage Pond comprises 1,340 acres and is delineated on maps available at Refuge Headquarters, Seneca Falls, N.Y., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese (except snow geese), brant, gallinules, and coots subject to the following special conditions:

(1) Hunting is limited to Tuesdays, Thursdays, and Saturdays.

(2) Applications for blind reservations postmarked no later than October 1 will be accepted. Reservations for blinds, for hunting through November 15, will be selected by public drawing.

Successful applicants must appear in person at the Refuge Hunting Checking Station prior to 1 hour before legal shooting time on the date reserved. Unreserved and forfeited blinds will be awarded by lot on the morning of the hunt to hunters without reservations.

(3) The second and third Saturdays of the season will be reserved for the Young Waterfowler's Training Program hunt. In addition, if required, the second and third Sundays. A brochure describing this program is also available.

(4) Hunting will be only from specified blinds.

(5) Hunters must provide a minimum of six duck decoys and will be limited to 10 shells each, with shot size no larger than No. 2.

(6) All hunting ends each hunting day at 12 noon.

(7) A user fee of $2 per blind will be charged.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1969.

THOMAS A. SCHRADER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 12, 1969.

[F.R. Doc. 69-11118; Filed, Sept. 17, 1969; 8:46 a.m.]

PART 32—HUNTING

Big Lake National Wildlife Refuge, Ark.; Correction

In F.R. Doc. 69-9836, appearing on page 13416 of the issue for Wednesday, August 20, 1969, under § 32.22, subparagraph (1) under special conditions should read as follows:

(1) Squirrels may not be hunted during the period November 29–December 28, 1969. Hunting of raccoons is permitted only from sunset to midnight.

W. L. TOWNS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 9, 1969.

[F.R. Doc. 69-11114; Filed, Sept. 17, 1969; 8:46 a.m.]

PART 32—HUNTING

Crab Orchard National Wildlife Refuge, Ill.

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ILLINOIS

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

Public hunting of pheasants and bobwhite quail on the Crab Orchard National Wildlife Refuge, Ill., is permitted from November 15, 1969, through December 31, 1969; the hunting of rabbits is permitted from November 15, 1969, through January 31, 1970, and the hunting of raccoons, opossums, skunks, and weasels is permitted from November 1, 1969, through January 31, 1970, but only on the area designated by signs as open to hunting. This open area, comprising 9,380 acres, is delineated on a map available at the refuge headquarters, Carterville, Ill., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State and Federal regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1970.

L. A. MEHRHOFF, Jr.,
Project Manager, Crab Orchard National Wildlife Refuge, Carterville, Ill.

SEPTEMBER 8, 1969.

[F.R. Doc. 69-11115; Filed, Sept. 17, 1969; 8:46 a.m.]

PART 32—HUNTING

Tishomingo National Wildlife Refuge, Okla.

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

OKLAHOMA

TISHOMINGO NATIONAL WILDLIFE REFUGE

Public hunting of quail on the Tishomingo National Wildlife Refuge, Okla., is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters Tishomingo, Okla., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations governing the hunting of quail subject to the following special conditions:

(1) The open season for hunting quail on the refuge extends from sunrise to 12 noon November 20, 1969, through January 15, 1970, inclusive, on Thursdays, Saturdays, and National holidays.

(2) Dogs may be used for the purpose of hunting and retrieving.

(3) A Federal permit is not required to enter the public hunting area, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulation of the hunting activity and shall furnish information pertaining to their hunting, as requested. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 15, 1970.

ERNEST S. JEMISON,
Refuge Manager, Tishomingo National Wildlife Refuge, Tishomingo, Okla.

SEPTEMBER 11, 1969.

[F.R. Doc. 69-11120; Filed, Sept. 17, 1969; 8:46 a.m.]

PART 32—HUNTING

Crab Orchard National Wildlife Refuge, Ill.

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

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

ILLINOIS

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

The public hunting of deer on the Crab Orchard National Wildlife Refuge on an area designated by signs as open to hunting is permitted with bow and arrow from one-half hour before sunrise to one-half hour before sunset daily from October 1, 1969, through November 16, 1969, and from one-half hour before sunrise until one-half hour before sunset November 24, 1969, through December 31, 1969, except during the period December 8 through December 14, 1969, inclusive. Shotgun or single shot muzzle loading rifle hunting of deer is permitted from 6:30 a.m. to 4 p.m. from November 21, 1969, through November 23, 1969, and from December 12, 1969, through December 14, 1969. This open area, comprising 9,880 acres, is delineated on maps available at refuge headquarters, Carterville, Ill., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1969.

L. A. MEHRHOFF, Jr.,
Project Manager, Crab Orchard National Wildlife Refuge, Carterville, Ill.

SEPTEMBER 8, 1969.

[F.R. Doc. 69-11116; Filed, Sept. 17, 1969; 8:46 a.m.]

PART 32—HUNTING

Seney National Wildlife Refuge, Mich.; Correction

In F.R. Doc. 69-10269, appearing on page 13745 of the issue for Wednesday, August 27, 1969 (§ 32.32), subparagraph (1) under special conditions should read as follows:

(1) Bow and arrow hunting is permitted only on 33,525 acres of the refuge designated as Area B, from October 1 through November 14; and on the 85,200 acres of the refuge designated as Area A and Area B from December 1 through December 31.

JOHN E. WILBRECHT,
Refuge Manager, Seney National Wildlife Refuge, Seney, Mich.

SEPTEMBER 12, 1969.

[F.R. Doc. 69-11117; Filed, Sept. 17, 1969; 8:46 a.m.]

PART 32—HUNTING

Tishomingo National Wildlife Refuge, Okla.

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

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

OKLAHOMA

TISHOMINGO NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Tishomingo National Wildlife Refuge, Okla., is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Okla., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions:

(1) Not more than 15 archery hunters per day, and not more than 10 gun hunters per day will be admitted to the hunting area.

(2) The archery deer hunting season on the refuge is from October 25 to November 16, 1969, inclusive. Shooting hours are from daylight to 12 noon on Tuesdays, Thursdays, Saturdays, Sundays, and national holidays. The gun deer hunting season on the refuge is from November 22, to November 30, 1969, inclusive. Shooting hours are from daylight to 12 noon on Tuesdays, Thursdays, Saturdays, Sundays, and national holidays.

(3) Zone 3 of the area open to hunting is excluded.

(4) A Federal permit is not required to enter the public hunting area for the hunting of deer, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulation of the hunting activity and shall furnish information pertaining to their hunting, as requested.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 30, 1969.

ERNEST S. JEMISON,
Refuge Manager, Tishomingo National Wildlife Refuge, Tishomingo, Okla.

SEPTEMBER 11, 1969.

[F.R. Doc. 69-11119; Filed, Sept. 17, 1969; 8:46 a.m.]

PART 32—HUNTING

National Wildlife Refuges in Certain States

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

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

SOUTH CAROLINA

CAPE ROMAIN NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Bulls Island Unit of the Cape Romain National Wildlife Refuge, McClellanville, S.C., is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,000 acres, is delineated on maps available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh

Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of white-tail deer except the following special conditions:

(1) The open season for bow and arrow hunting of white-tail deer (either sex) on the refuge is November 20–22; December 4–6; and December 18–20, 1969. Daylight hours only.

(2) Bows with minimum recognized pull of 45 pounds and arrows with minimum blade width of seven-eighths inch will be required for deer. Firearms, crossbows, or any type of mechanical bow prohibited.

(3) Stand hunting only is permitted on the area north of the beach road from sunrise to 8:30 a.m. and from 3:30 p.m. until sunset. Stalk hunting is permitted between the hours of 8:30 a.m. until 3:30 p.m. on this area. Stalk hunting is permitted at all times on the area south of the beach road.

(4) No dogs allowed on the island.

(5) Hunters must check in with refuge personnel upon arrival and check out upon departure from Bulls Island.

(6) There is no limit on the number of deer taken.

(7) Camping is permitted in the designated campground only. Campsites may be erected 24 hours prior to each hunt, and must be removed within 24 hours after the close of each hunt. Campsites and camp gear may not be left from one hunt to the next.

(8) Permits are required and may be obtained at the refuge office on Bulls Island.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 21, 1969.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

SOUTH CAROLINA

CAPE ROMAIN NATIONAL WILDLIFE REFUGE

Public hunting of squirrels and raccoons on the Bulls Island Unit of the Cape Romain National Wildlife Refuge, McClellanville, S.C., is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,000 acres, is delineated on maps available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of squirrels and raccoons except the following special conditions:

(1) The open season for hunting squirrels and raccoons on the refuge is November 20–22; December 4–6; and December 18–20, 1969. Daylight hours only.

(2) Bow and arrows permitted. Firearms, crossbows, or any type mechanical bow prohibited. Drugged or poison arrows prohibited.

(3) No dogs allowed on the island.

(4) Hunters must check in with refuge personnel upon arrival and check out upon departure from Bulls Island.

(5) Hunters under 18 must be accompanied by an adult.

(6) Camping is permitted in the designated campground only. Campsites may be erected 24 hours prior to each hunt, and must be removed within 24 hours after the close of each hunt. Campsites and camp gear may not be left from one hunt to the next.

(7) Permits are required and may be obtained at the refuge office on Bulls Island.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 21, 1969.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

SOUTH CAROLINA

SANTEE NATIONAL WILDLIFE REFUGE

Public hunting of geese, ducks, and coots on the Santee National Wildlife Refuge, Lake Moultrie Unit, S.C., is permitted only on the area designated by signs as open to hunting. This open area, comprising approximately 29,500 acres, is delineated on a map available at refuge headquarters, Summerton, S.C., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of geese, ducks, and coots subject to the following special conditions:

(1) Hunting will be permitted only on Tuesdays, Thursdays, and Saturdays during the period from November 29, 1969, through January 14, 1970.

(2) Shooting hours are from one-half hour before sunrise to 12 o'clock noon. Hunters may not enter the refuge hunting area prior to 1½ hours before sunrise and must be out of the hunting area by 1 p.m.

(3) Only temporary blinds constructed of native vegetation are permitted. Any blind constructed by a hunter on the hunting area, once vacated, may be occupied by any other hunter on a first come, first served basis.

(4) Boats are not to be left in Pinopolis Pool (Hatchery) overnight.

(5) Boat motors of any type, inboard, outboard, gasoline, diesel, or electric are not allowed in the Pinopolis Pool (Hatchery).

The provisions of this special regulation supplement the regulations which govern hunting on Wildlife Refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32 and are effective through January 14, 1970.

NORTH CAROLINA

MATTAMUSKEET NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, and coots on the Mattamuskeet National Wildlife Refuge, N.C., is permitted only on the area designated by signs as open to hunting. This open area, comprising 11,300 acres, is delineated on a map available at the refuge headquarters, New Holland, N.C., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, and coots—subject to the following special condition.

(1) Each hunter is limited to 25 shells per day.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 15, 1970.

C. EDWARD CARLSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 12, 1969.

[F.R. Doc. 69-11121; Filed, Sept. 17, 1969; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1060]

[Docket No. AO–360–A3]

MILK IN MINNESOTA-NORTH DAKOTA MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Fargo, N. Dak., on May 14, 1969, pursuant to notice thereof issued on April 17, 1969 (34 F.R. 6738).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Administrator, Consumer and Marketing Service on August 12, 1969 (34 F.R. 13325; F.R. Doc. 69–9723) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (34 F.R. 13325; F.R. Doc. 69–9723) are hereby approved and adopted and are set forth in full herein:

The material issues on the record of the hearing relate to:

1. Marketing area.
2. Diverted milk.
3. Pooling qualifications.
4. Class I price.
5. Plants subject to other Federal orders.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Marketing area.* No change should be made in the size of the marketing area.

A cooperative which is the major distributor in the county proposed that Pope County, Minn., be included in the marketing area. Pope County borders the southeastern corner of the marketing area.

When the order was promulgated in November 1967, proponent's fluid milk sales in Pope County represented about 55 percent of the total fluid sales made there. The remaining sales were made by unregulated handlers, the two largest of whom were primarily associated with other markets.

By April 1969, proponent's sales in the county represented about 62 percent of the total. The two largest previously unregulated plants are now fully regulated under the Minneapolis-St. Paul milk order.

At the present time, well over 90 percent of the sales in Pope County are made by handlers regulated under either the Minnesota-North Dakota or Minneapolis-St. Paul order, with about 68 percent of the total originating at plants regulated under the Minnesota-North Dakota order.

If Pope County were included in the marketing area, only one additional plant would be made subject to regulation. This plant, which is located at Starbuck, Minn. (in Pope County), accounts for about 10 percent of the fluid milk sales in the county.

The unregulated plant buys milk from only three producers, and a very substantial portion of its fluid milk disposition is purchased from a plant at Alexandria, Minn., which is fully regulated by the order. No competitive problem between regulated handlers and the unregulated plant or other conditions of disorder were described on the record. It may not be concluded from the evidence that the marketing situation in Pope County is having adverse effect on producer returns or on the regulatory program. The proposal therefore is denied.

The counties of Walsh, Pembina, and Cavalier, N. Dak., should remain a part of the marketing area.

Eight producers supplying a regulated handler at Grafton, N. Dak. (in Walsh County) proposed that Walsh, Pembina, and Cavalier Counties be removed from the marketing area. The proposal was opposed by four cooperatives, including one with route distribution in these counties.

In 1968 the Class I utilization of such regulated handler represented about 97 percent of his Grade A receipts, while only 40 percent of all producer milk under the order was used in Class I. Proponents stated that in 1968 such handler paid in excess of $30,000 into the producer-settlement fund. By having the three counties removed from the marketing area, proponents expect to receive a higher price for their milk relative to the marketwide uniform price, based on the high Class I utilization of such handler.

In order to maintain its relatively high utilization, the plant regularly purchases supplemental milk in the fall and winter months from other regulated handlers. Thus, other producers on the market carry the reserve supplies which make possible a high Class I utilization at the plant in all months.

There is heavy competition among regulated handlers selling there. At least three other regulated handlers sell fluid milk products in the three counties. The largest distributes over 140,000 pounds of Class I milk therein, or about 65 percent of the total fluid sales in such counties.

Also, the plant supplied by proponents distributes packaged milk to a military base located in another part of the marketing area. This distribution, which represents between 15 percent and 20 percent of the plant's Grade A receipts, is sufficient in itself to continue pool plant status for the plant even if Walsh, Pembina, and Cavalier Counties were removed from the marketing area.

The extensive distribution in the three counties by all such handlers, which justified inclusion of the counties in the marketing area when the order was established, has not changed materially since the inception of the order. Accordingly, the proposal to exclude the three counties from the marketing area is denied.

2. *Diverted milk.* The number of days on which a producer's milk must be received at a pool plant during each month to qualify his milk for diversion to a nonpool plant should not be changed.

A cooperative proposed that the number of days of the month for which delivery to a pool plant is required should be increased from 3 days to 5 days. As published in the hearing notice, the proposed change would apply during the months of July through February. At the hearing, however, proponent modified the proposal so as to apply in all months. The proposal also was supported by another cooperative.

Proponent contended that unlimited diversion enables the diverting handler to pool unlimited quantities of milk, thereby reducing uniform prices to producers. Proponent wants to assure as high a blend price as possible. No proposal was made, however, to change the order provision that deals directly with the percentage of milk that may be diverted.

The proposal was opposed by three other cooperatives supplying the market and by three proprietary handlers. The chief objections of those who were opposed to the proposal were that (1) it would require additional hauling to continue to qualify as producers those dairy farmers who regularly supply the market, (2) it would not necessarily reduce the quantity of Grade A milk associated with the pool, (3) the present provisions have not resulted in the association of additional producers with the market to the detriment of the uniform price, and (4) those producers who have had a long time association with the market should be permitted to continue to share in the marketwide pool without having their hauling costs increased substantially.

The provision that a producer must have his milk received at a pool plant on

3 days during the months of July through February to qualify it for diversion to a nonpool plant during the month serves primarily to identify the producer as a regular supplier of the fluid milk needs of the market during the months when it is needed most. During the months of seasonally high production, the seasonally lower uniform price does not afford the same incentive to associate additional producers with the market.

Many of the producers now on the market are located close to manufacturing plants and at a considerable distance from any pool plant. When their milk is not needed for fluid use it is most practical to divert it directly to the manufacturing plants. To continue their status as producers, the proposal would make it necessary in some instances that a larger proportion of their milk be hauled to a pool plant where it would be received, reloaded on a tank truck and then hauled back to a manufacturing plant close to the farm of origin. An increase in the number of days their milk must be received at a pool plant would result in some additional hauling cost to producers.

Since most producers' milk is picked up at the farm on an every-other-day schedule, the present 3-day delivery requirement, in most cases, means that at least 6 days' production must be delivered to a pool plant each month. Increasing the delivery requirement to 5 days would mean that producers would be required to ship 10 days' production to a pool plant to retain producer status. Such a requirement would tend to impede the efficiency which has been attained by the cooperative associations in handling the supply for the market.

Market statistics do not indicate that the present diversion privileges have been abused. In March and April 1968, there were 1,529 and 1,509 producers, respectively, on the market. For March and April 1969, the corresponding figures were 1,505 and 1,507. There has been a slight increase in the pounds of milk diverted, but this reflects some increase in production per farm, partly as a result of increased production per cow. The percentage of total receipts diverted has remained relatively constant. In March 1969, 51.23 percent of the total producer receipts were diverted, an increase of 0.25 percent over the 50.98 percent diverted in March 1968. In April 1969, the percentage diverted was 53.27 a decline of 0.36 percent from the 53.68 percent diverted in April 1968.

It is concluded that no change be made at this time in the provisions of the order as they apply to diversion of producer milk. The present requirement that the milk of a producer must be received at a pool plant for at least 3 days during each of the months of July through February as a qualification for diversion gives handlers and cooperatives the flexibility needed to supply the market with milk for Class I use. It also aids them in disposing of reserve supplies in an efficient manner. At the same time, it provides sufficient market affiliation by producers in these months to insure that their milk is available for Class I when needed.

3. *Pooling qualifications.* The provisions for qualifying a distributing plant for pooling should not be changed.

A cooperative association proposed that one of the provisions for qualifying a distributing plant for pooling be changed. As proposed, a distributing plant would be pooled for any month during which a volume of Class I milk not less than 35 percent of its Grade A receipts is disposed of during the month on routes by Class I transfer to another plant. At the present time, the minimum requirement is 20 percent during the months of March through June, and 25 percent during all other months. The proposal was opposed by three other cooperative associations representing a substantial portion of the producers supplying the market and by three proprietary handlers.

Proponent's chief arguments for making the change were that (1) the present percentages are low compared to those in other Federal orders, (2) the present qualifications are being abused in that there has been a substantial increase in the volume of milk diverted to nonpool plants for manufacturing since the inception of the order, and (3) if the proposal is not adopted, plants with manufacturing facilities could take on additional producers to the point that the uniform price would be lowered substantially.

The principal purpose of the distributing plant qualifications for pooling is to assure that a plant and its milk supply are associated with the market in a significant way and in a regular manner. Otherwise, dairy farmers who have no regular affiliation with the market could casually or incidentally associate themselves with the market when it is to their advantage to do so, but without accepting any responsibility for providing it with a dependable supply.

When the order was established, it was recognized that the distributing plants that would be pooled under the order are located in a region of heavy milk production in relation to population. Many of them are combination plants with manufacturing operations where the reserve supplies of the market are handled. The qualifying standards were fixed at levels which would insure pool plant status to those plants which are the main and regular sources of Class I milk for the marketing area.

Prior to the inception of the order the marketwide Class I utilization was determined to be approximately 40 percent annually, but to decrease as low as 30 percent in the months of flush production. While some of the proprietary plants have a Class I utilization in excess of 90 percent throughout the year, many of the cooperative association plants, which also serve as sources of milk for proprietary plants, have a Class I utilization substantially below the market average.

There is no indication that substantial quantities of milk have been added to the pool simply for manufacturing purpose. In 1968, market utilization was virtually identical to that which existed before the order became effective. The annual average Class I utilization in 1968 was exactly 40 percent. Monthly, the percentages varied from 30 percent in June to 52 percent in October. In both March and April 1968, the Class I utilization was 33 percent. In March and April of 1969, Class I utilization was 33 and 34 percent, respectively.

The above figures do not bear out the contention of proponents that there has been abuse in that increasing quantities of milk have been associated with the market for manufacturing use. As noted earlier, there has been some increase in production per producer. This has resulted in a slight increase in the volume of milk diverted, although the percentage of total milk receipts diverted has not increased.

An increase in the minimum pool plant standards such as proposed would tend to disrupt marketing conditions. It would work severe hardship on those cooperative association plants that would be unable to meet the proposed standards without reducing the number of member producers from whom they receive milk, or otherwise limiting their milk supplies. Either alternative would adversely affect many producers and thus encourage a disorderly marketing condition.

It is concluded that the present pooling qualifications for distributing plants are operating as intended and should not be changed at this time.

4. *Class I price.* The Class I differential should be increased 24 cents per hundredweight to $1.30 ($1.10 plus an additional 20 cents) over the basic formula price for the preceding month. The order now provides a Class I differential of $1.06 ($0.86 plus an additional 20 cents) over the basic formula price for the preceding month.

The change was proposed by one of the principal cooperatives supplying milk to the market. It was supported by three other cooperatives, the members of which also supply a substantial portion of the producer milk for the market. Two other cooperatives proposed that the Class I price be increased 52 cents per hundredweight, but presented no evidence to support the proposal. The proposal to increase the Class I price 52 cents per hundredweight therefore is denied.

When the order was promulgated, an appropriate Class I price alignment with the Minneapolis-St. Paul market was a major consideration. The principal population centers are located along the Red River which forms the boundary between Minnesota and North Dakota, midway between the heavy milk production area of central Minnesota and the deficit production area of North Dakota. It was deemed necessary to establish a Class I price which would compensate producers not only for the costs of producing Grade A milk but also would insure its continued movement to the principal population areas. It was concluded further that the price should not be so high as to encourage a substantial shift of milk from the Minneapolis-St. Paul market and thus result in displacement of the supply which has been associated with

the market prior to the issuance of the order.

Fargo and Grand Forks, N. Dak., and Moorhead, Minn., are among the principal cities in the market. The adjoining cities of Fargo-Moorhead are about 240 miles from Minneapolis-St. Paul. Grand Forks is about 312 miles from Minneapolis-St. Paul. In the decision on the issuance of the original order for the Minnesota-North Dakota order (32 F.R. 12516), of which official notice is taken, the Class I price for the Minnesota-North Dakota order was established at a level 24 cents per hundredweight higher than the Class I price under the Minneapolis-St. Paul order.

This alignment was based on the Minneapolis-St. Paul Class I price at a time when it was reduced 24 cents per hundredweight by a supply-demand adjustment. The adjustment had been effective for a considerable period of time prior to the issuance of the Minnesota-North Dakota order. The differential in price of 24 cents per hundredweight remained in effect until July 1, 1968, when the supply-demand for the Minneapolis-St. Paul order was suspended and later discontinued by amendment of the order effective August 1, 1968. This resulted in identical Class I prices in both orders. The intermarket Class I price relationship between the two orders, which the Secretary found to be appropriate at the issuance of the Minnesota-North Dakota order, should be restored. Such alignment will reflect the approximate cost of transporting milk from the Minneapolis-St. Paul area to plants in the base zone of the Minnesota-North Dakota area.

There is need also to modify the Class I price alignment between the Minnesota-North Dakota order and the Eastern South Dakota order. As a result of elimination of the supply-demand adjustor in the Minneapolis-St. Paul order, the Class I price in Eastern South Dakota was increased 13.5 cents. This resulted in a difference of 44 cents in the respective Class I prices of Eastern South Dakota and Minnesota-North Dakota. Such a disparity in prices is unwarranted in view of the fact that the marketing areas are contiguous and their milksheds overlap. Increasing the Class I differential 24 cents in the Minnesota-North Dakota order reduces this difference to 20 cents, a reasonable difference in consideration of the distance from the Fargo-Moorhead area, the basic price zone for the Minnesota-North Dakota market, to Sioux Falls, S. Dak., the principal population center of the Eastern South Dakota marketing area.

The proposed level of Class I price also will improve substantially the relationship between uniform prices to producers at pool supply plants and the prices paid by manufacturing plants in the supply area. Prices paid by manufacturing plants in Minnesota have increased substantially in recent months. At least a part of this increase may be attributed to an effort by manufacturing plants to induce dairy farmers against converting to Grade A production and shifting their deliveries to fluid milk plants, particularly Minneapolis-St. Paul plants.

Pool plants in central and south central Minnesota compete directly with manufacturing plants for supplies. At all these pool plants location differentials are applicable. The differential between uniform prices and prices paid by the manufacturing plants has narrowed.

Prices paid to producers for Grade A milk at pool plants at Alexandria and Brainerd, Minn., for January 1969 were $4.58 and $4.55 per hundredweight, respectively. The price paid for manufacturing grade milk at the same locations was $4.33 per hundredweight, a difference of 25 cents and 22 cents respectively. By April 1969, the difference between the prices paid for the two grades of milk at these locations had narrowed to 19 cents and 16 cents per hundredweight, respectively.

Strong possibility exists that a number of producers may not be willing to continue meeting the added expense of producing Grade A milk when they can receive essentially the same net return by shipping to a manufacturing plant. As a result of the present relationship of the uniform price to manufacturing prices in the Minnesota-North Dakota milkshed, the supply of milk for fluid milk plants in the Minnesota-North Dakota market could be affected adversely unless the proposed action is taken.

The only testimony directly opposing the proposal came from two handlers with pool distributing plants located at the southeastern edge of the marketing area. Their plants are subject to a minus location differential under the order. Their objection to the proposal was that they compete with two handlers regulated by the Minneapolis-St. Paul order whose plants have a minus location differential under that order.

With the Class I price alignment herein proposed, the difference in Class I prices among the four handlers would range between 22 cents and 28 cents per hundredweight. However, the Minneapolis-St. Paul handlers who have the advantage of the lower prices are located between 70 and 130 miles from the area where they compete with the Minnesota-North Dakota handlers. Such handlers incur transportation costs in moving packaged fluid milk products that distance, and these costs tend largely to offset the differences in minimum Class I prices.

Even with adoption of the proposed price, the Minnesota–North Dakota handlers who were opposed to the proposal would be in a better position in competing with these Minneapolis-St. Paul handlers than they were at the time of the issuance of the Minnesota–North Dakota order. The two Minneapolis-St. Paul handlers were not regulated prior to May 1, 1969. As unregulated handlers they did not purchase milk on a utilization basis. Consequently, they paid substantially less for their fluid milk requirements as unregulated handlers than they now pay as regulated handlers.

5. *Plants subject to other Federal orders.* The order should be amended to specify that a supply plant meeting the pooling requirements of more than one order should be subject to that regulating the area to which the greater volume of its milk is shipped.

In September 1968, it was necessary to suspend a provision of the Minnesota-North Dakota order to prevent a supply plant from being pooled under two orders in the same month. Such a situation would be untenable since it could result in the plant's being required to make payments to the producer-settlement fund under both orders. A cooperative association handler proposed to incorporate into the order a specific provision dealing with this problem.

The disposition of fluid milk to distributing plants in both the Minnesota-North Dakota and Minneapolis-St. Paul markets from at least two supply plants is such that it is entirely possible for the supply plants to meet the qualifications of fully regulated supply plants under both orders during a particular month. To prevent double regulation, it is concluded that the order should be amended as proposed herein.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed

to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Minnesota-North Dakota Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Minnesota-North Dakota Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of July 1969 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Minnesota-North Dakota marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on September 15, 1969.

RICHARD E. LYNG,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Minnesota-North Dakota Marketing Area

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Minnesota-North Dakota marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Minnesota-North Dakota marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as amended and as hereby amended, as follows:

1. In § 1060.51, paragraph (a) is revised to read as follows:

§ 1060.51 Class prices.

* * * * *

(a) *Class I price.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.10, and plus 20 cents.

* * * * *

2. Section 1060.61 is revised to read as follows:

§ 1060.61 Plants subject to other Federal orders.

The provisions of this order shall not apply with respect to a plant of a handler specified in paragraph (a), (b), or (c) of this section except that such handler shall, with respect to his total receipts and disposition of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and shall allow verification of such reports by the market administrator:

(a) A distributing plant from which the Secretary determines a greater portion of fluid milk products is disposed of on routes in another marketing area regulated by another order issued pursuant to the Act and such plant is fully subject to regulation of such other order: *Provided,* That a distributing plant which was a pool plant under this order in the immediately preceding month shall continue to be subject to all of the provisions of this part until the third consecutive month in which a greater proportion of its Class I disposition on routes is made in such other marketing area unless, notwithstanding the provisions of this paragraph, it is regulated by such other order;

(b) A distributing plant which meets the requirements set forth in § 1060.23 (a) which also meets the requirements of another marketing order on the basis of its distribution in such other marketing area and from which the Secretary determines a greater quantity of milk is disposed of during the month on routes in this marketing area than is so disposed of in such other marketing area but which plant is nevertheless fully regulated under such other marketing order; and

(c) A supply plant from which the Secretary determines a greater portion of its Grade A receipts is shipped during the month to plants which are regulated by another order issued pursuant to the Act if such shipments qualify it as a pool plant under such other order.

[F.R. Doc. 69-11136; Filed, Sept. 17, 1969; 8:48 a.m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

[7 CFR Part 1103]

[Docket No. AO-346-A10]

MILK IN MISSISSIPPI MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Jackson, Miss., on March 25 and 26, 1969, pursuant to notice thereof issued on March 5, 1969 (34 F.R. 5020).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on July 30, 1969 (34 F.R. 12710; F.R. Doc. 69-9133), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings and general findings of the recommended decision (34 F.R. 12710; F.R. Doc. 69-9133) are hereby

approved, adopted and are set forth in full herein subject to the following modification:

1. Under the subheading "1. *Marketing area.*", two new paragraphs are added immediately preceding subheading "2. *Location differential.*"

2. Under the subheading "3. *Diversion.*", the first paragraph is revised and five new paragraphs are added immediately preceding subheading "4. *Conforming changes.*"

The material issues on the record of the hearing relate to:

1. Whether the Mississippi counties of George, Greene, Hancock, Harrison, Jackson, Pearl River, and Stone should be included in the marketing area.

2. What location adjustments should apply to class prices and uniform prices at plants in the counties proposed to be added to the marketing area.

3. What conditions should apply for diversion of a producer's milk in the months of December through August.

4. Conforming changes in order provisions.

FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Marketing area.* The Mississippi counties of George, Greene, Hancock, Harrison, Jackson, Pearl River, and Stone should be added to the regulated area.

The seven Mississippi counties proposed for regulation comprise the area from the Gulf Coast northward to the main portion of the area now regulated. On the Gulf Coast the regulation now applies only to Keesler Air Force Base in Harrison County.

The proposal for the new area was made by Dairymen, Inc., a cooperative whose members comprise about 85 percent of the producers supplying handlers in the present Mississippi market. Proponent cooperative contended that the area is closely linked to the present marketing area in that it depends on essentially the same suppliers. The claimed relationship was based mainly on two grounds: (1) That the majority of the milk sold in the seven counties is Mississippi order milk, and (2) non-Federal order handlers with plants located in Alabama who sell in the proposed area rely significantly on Order No. 103 milk for supplemental supplies. It was alleged that lack of Federal order regulation on some handlers selling in the area threatens marketing stability for producer milk.

Order No. 103 handlers' route sales represent about 56 percent of all milk consumed in the proposed area (other than Keesler Air Force Base, which is already under the regulation). The Borden Co. plant at Biloxi and the Bush Dairy Co. at Laurel are the two Mississippi order plants with significant sales in the area. The remainder is supplied largely by two non-Federal order plants located at Prichard and Mobile, Ala., which together account for 42 percent of the total. Two percent of the sales in the proposed area is from New Orleans order plants.

Estimated milk consumption in the area proposed is computed to be 4.2 million pounds monthly, based on a per capita consumption of 185 pounds annually and 1968 population approximating 273,000 persons. Handlers not regulated by Federal orders indicated monthly route sales of 1.75 million pounds in the seven counties. This quantity is the 42 percent of total sales previously described as made by non-Federal order handlers.

The percentage of sales in each county by Order No. 103 handlers was estimated by the proponent cooperative to be from 51 to 95 percent based on a recent sales survey. The average of these percentages, weighted by population in each county, is 57.5 percent. The two estimates of sales by Order No. 103 handlers agree closely. If shipments of Mississippi order milk made to one of the non-Federal order handlers selling in the seven counties are included, the proportion increases to 67 percent. The latter quantity, about 400,000 pounds monthly, shipped to the Barber Pure Milk Co. at Mobile, approximates the quantity of fluid sales from the plant into the Mississippi counties at issue here.

The extension of regulation is needed to assure that the returns of producers determined under the order's provisions will not be adversely affected by the presence of milk not subject to the order in an area where such producers, and the handlers to whom they deliver, are the majority suppliers. Order No. 103 handlers have the majority of sales in each of the counties proposed to be added, but there are large volumes of milk sold throughout the proposed counties by handlers not regulated by any Federal order. There is, therefore, extensive competition throughout the area of milk federally regulated and milk not so regulated.

In these circumstances the integrity of the uniform price plan of the order and its objective of maintaining orderly marketing for producers cannot be adequately assured unless the order is made applicable to all milk sold in these counties. Without inclusion of the seven counties only Order No. 103 handlers would be subject to the order's classified pricing and accounting system while competing handlers would remain free to obtain their supplies on a substantially different pricing basis with significant advantage in competing for the market.

The two Alabama plants involved in the subject counties are affected by a pricing regulation of the State of Alabama. The State regulation lacks, however, features contained in the Federal order which are necessary to assure the needed uniformity of pricing among handlers competing in such counties.

The Alabama regulation is necessarily limited in scope because its authority applies only within the State. The regulation cannot require specific prices to be paid on milk supplies procured from dairy farmers or plants beyond the State's boundaries. Its main concern is with the prices required to be paid by Alabama handlers to producers in Alabama. After such milk is accounted for at State order prices and classification, the handler is free to purchase other milk or milk products for Class I use without minimum price requirement. Prices computed for out-of-State producers are simply recommended or suggested prices. Consequently, such regulation does not require complete accountability and pricing for all milk and milk products handled from whatever source. Further, the Alabama regulation provides special prices for sales to military bases or schools which are lower than the regular Class I prices.

By contrast, the Federal order provides, among other things: (1) Complete accounting for all receipts and disposition by each handler; (2) a single minimum Class I price for fluid disposition to all outlets, whether civilian or military; (3) a specific limit on the quantity of shrinkage which a handler may claim at the surplus price; and (4) payments by the handler on any use of other source (nonproducer) milk for Class I disposition.

The Prichard and Mobile plants in particular do not receive their supplies entirely from Alabama producers. One receives milk from 40 producers in Mississippi. Other supplies are at times procured by both plants from other plant sources outside the State. No minimum prices are required under the regulatory authority for out-of-State purchases. Further, it is not required that all of the plant utilization of milk and milk products be accounted for. Under these circumstances, there can be no assurance that these non-Federal order distributors will not have a purchase advantage in the seven counties over handlers fully regulated by the Mississippi order who sell there.

Representatives of the Prichard and Mobile plants opposed the area extension. Specifically, they objected that by imposing the regulation on the 20 percent of their sales in the proposed area, the other 80 percent not in Federal order territory also would be regulated. This circumstance, they said, would complicate their procurement of dairy farm supplies in Alabama which is an area of relatively short production. They were particularly concerned that their dairy farmers would receive lower returns if such plant were fully regulated and consequently would seek other plant outlets.

The area extension also was opposed by a cooperative which has members shipping to one of the Alabama handlers. The reason given was that lower blend prices for members would be expected under the order than are now received from the Alabama handler. The latter farmers now receive payments under a voluntary arrangement negotiated between the cooperative and such handler.

Under the present terms of the Mississippi order the two plants at Prichard and Mobile would become fully regulated by virtue of the extent of their sales in the seven counties. One of these handlers has disposition in the area of 400,000

pounds monthly and the other 1.35 million pounds, in each case well in excess of the minimum in-area sales standard of 7,000 pounds daily for pooling.

An alternative standard in the order for pooling distributing plants is that at least 20 percent of the handler's route disposition must be in the marketing area. The two Alabama handlers would not have qualified for full regulation in all months on this standard although their disposition in the seven counties may have reached such percentage level in some months.

Official notice is taken of the decision of March 11, 1965, concerning the issuance of the Mississippi Federal milk order No. 103 (30 F.R. 3470) in which it was found that it is necessary that a plant fully regulated be required to pay class prices for all milk handled whether disposed of inside or outside the marketing area. The findings and conclusions of that decision with respect to the Class I disposition both inside and outside the marketing area are applicable to the situation here considered and are adopted as if set forth in full herein.

It was provided further in such decision that handlers with some sales in the marketing area, but less than the amount required for pooling, should be subject to partial regulation. Such provisions as they apply currently are set forth in § 1103.62 and specify alternatives for computing the order obligation of a handler operating a partially regulated distributing plant.

The obligation to the pool of a partially regulated plant applies only with respect to his Class I disposition in the marketing area. The handler also has the alternative of making payment to his producers at not less than the use value of his milk computed at the order's minimum class prices. Under either of these options, the handler pays the administrative expense on his Class I sales in the marketing area. The handler has also a further alternative of purchasing Federal order Class I milk in a quantity to cover his Class I disposition in the marketing area, as is currently the case with the handler at Mobile. Under the latter option the handler has no money obligation under the order.

The marketing area definition and pooling standards work jointly in establishing the scope of the regulation on plant operations. As previously indicated, while each of the Alabama plants has well in excess of the minimum 7,000 pounds daily of Class I route disposition in the marketing area as proposed to be extended, its area route sales approximate the level of 20 percent of monthly route sales in the marketing area, which is the other minimum standard for pooling.

By removing the first pooling standard, i.e., 7,000 pounds daily, from the order, both such handlers would be in a position, with only small adjustments in sales levels in the seven counties, either to meet or to not meet the 20 percent standard.

Thus, without substantial change in operations, either of the handlers not now under regulation could meet the conditions for a partially regulated handler while, at the same time, a principal sales area for fully regulated handlers would be placed under the uniform price plan. Under present circumstances, their partial regulation would be sufficient to assure stable marketing conditions within the revised marketing area. At the same time the effect of regulation on the procurement and sales of these handlers for their Alabama markets would be minimized. The latter sales, which represent 80 percent of their fluid disposition and a volume equal to more than one-fourth of the Class I milk now in the Mississippi order pool, are made outside the customary market for the Mississippi producers who are under the order.

It is not expected that the modified pooling provision would change the status of any plant which is now fully regulated.

Concerning the objection of the cooperative which opposed the proposed area extension, it may be pointed out that the voluntary arrangement for producer payment higher than the minimum order requires could continue whether or not its members' milk becomes fully or partially regulated under the Mississippi order.

In an exception submitted by one of the Alabama handlers he asks that his two plants be treated as a single operation for the purpose of determining whether full regulation should apply. Since bulk and packaged milk are transferred between the plants, he argues that the two plants could be considered as one operation. In this way, his disposition in the marketing area would be well below 20 percent of total route sales of both plants, and he would be assured of exemption from full regulation even though sales from one plant might exceed this pooling standard.

The proposal is not adopted. The handler's argument for treating his plants as a unit operation merely because of interchange of milk products does not provide a basis for a special pooling standard in this instance. Milk plants often have transfers of products with other plants but are nevertheless essentially individual plant operations.

The pooling standards in the order have been developed in reference to single plant operations and cannot be construed as equally applicable to a handler's system of plants. In this instance, the handler's plant at Dothan, Ala., has its route sales entirely outside and at considerable distance from the regulated territory. Thus, its operations could not be regarded as particularly revelant in determining the pool or nonpool status of the handler's other plant which has sales in the marketing area.

Further, the pooling standards as revised by this decision are liberal as to the quantity of disposition a fringe plant may have in the regulated area without full regulation. Route sales in the marketing area equal to 20 percent or more of a plant's total route sales warrant full regulation if integrity of the order is to be maintained.

2. *Location differential.* The seven counties to be added to the marketing area should comprise a pricing zone in which the Class I price should be the same as now applies at Gulf Coast locations.

Under the present order provisions, the basing points for Class I prices are Gulfport and Pascagoula, Miss. At locations outside the marketing area and 60 miles but not more than 100 miles from the courthouse in Gulfport or Pascagoula, Miss., whichever is nearer, there is a deduction of 10 cents per hundredweight and an additional deduction of 1½ cents for each 10 miles or fraction thereof the distance is more than 100 miles. In the marketing area, the Class I price at the Keesler Air Force Base in Harrison County is the same as at Gulfport and Pascagoula, and in the remainder of the marketing area is 16 cents per hundredweight less.

The 60-mile distance as measured from Gulfport or Pascagoula covers all locations in the seven counties except part of Greene County. The price zone as here proposed, therefore, essentially continues the present Class I price for any regulated plant located in the seven counties. The pool plant at Biloxi has been paying the same Class I price as would apply in the counties. There is no milk plant in Greene County.

The plants at Mobile and Prichard, Ala., are within the 60 mile distance from Pascagoula. This decision makes no change in the Class I price level applicable at these locations. In view of the similarity of location and in production conditions it is appropriate that the same price level should apply as at locations on the Gulf Coast in Mississippi.

Producer uniform prices are subject to the same location differential pricing as applied to Class I prices.

3. *Diversion.* For the months of December through August it should be provided that the milk of a producer whose production for 10 days is received at pool plants during the month may be diverted to nonpool plants on other days of the month. In addition, in any of these months a cooperative should be allowed to divert to nonpool plants a quantity of member-producer milk equal to 50 percent of the quantity of member-producer milk received at pool plants. A similar 50 percent diversion allowance should apply in the case of a handler in his capacity as a pool plant operator diverting nonmember milk.

Dairymen, Inc., proposed that the diversion of a producer's milk be freed from the present order limitations which require that the producer's milk either be delivered to pool plants for 10 days of production during each of the 2 preceding months, or that the producer have producer status during the entire 2 preceding months. These restrictions, they held, interfere with the economical handling of milk by the cooperative for the Mississippi market. Since membership of Dairymen, Inc., comprises about

85 percent of the producers on the market, a very large share of the milk of the market is handled in their operations.

Dairymen, Inc., also has producer members in the New Orleans Federal order market. The association's handling of milk for both markets in a most efficient manner at times involves shifting of dairy farmers between the two markets. Present order provisions applicable to the December–August period (previously described) prevent diversion of a producer's milk during the first 2 months he is brought back on the market after a shift (even for 1 month) of his deliveries to another market. Under present circumstances this provision prevents the cooperative from realizing some of the economies otherwise possible in handling milk for both markets.

The proposed revision would base the diversion privilege in each month of the December–August period on the number of days of production of the producer delivered to pool plants during the month. This will enable a cooperative association to divert the milk of a producer during the first month in which he is brought on the market even if in the prior month his deliveries had been outside the market. This change will facilitate the efficient handling of supplies for the market.

Exceptions by the cooperative would allow a cooperative to divert a quantity of milk equal to 50 percent of all milk of member producers received at pool plants. This was requested as an alternative to diversion on an individual producer basis as previously described.

The cooperative points out that although the total quantity of member milk which could be diverted on the percentage basis is less than under the other provision applicable to individual producers, the percentage allowance is desirable because of the flexibility and economies in milk handling which would result. In particular, it would allow diversion of the milk of those producers most favorably located for diversion to nonpool plants.

The order now provides similar alternative diversion allowances in September, October, and November. In these 3 months, a cooperative may divert a quantity of milk equal to 30 percent of all member milk delivered to pool plants. As an alternative, 10 days of production of a producer may be diverted.

The advantages in milk handling under a percentage diversion allowance are desirable and should be provided during the December–August period as well as in the other months. A larger percentage allowance for the December-August period, 50 percent of deliveries to pool plants, is reasonable because of the seasonally higher level of milk production in these months than in the fall period.

Handlers in their capacity as pool plant operators should be allowed to divert nonmember milk on a similar basis.

The diversion privilege is intended to apply only to the milk of those dairy farmers who deliver milk to a pool plant. This is necessary to assure that such dairy farmers are associated with the market as part of its regular supply. Accordingly, the application of the percentage diversion allowance should be limited to diversion of milk of producers who deliver at least 1 day's production to a pool plant during the month.

If in application of the percentage allowance for diversion it is found that more milk is delivered to nonpool plants than allowable within the percentage, then the diverting handler shall designate the dairy farmers whose milk is excluded and the quantities which are not producer milk. If the handler fails to make such designation, dairy farmers whose milk is delivered to nonpool plants shall be producers only with respect to any of their milk delivered to pool plants.

4. *Conforming changes.* It is desirable that insofar as possible the terms used in the order conform with standard terminology of Federal orders. For this reason the term "advance payment" appearing in § 1103.90(b) of the order should be changed to "partial payment" which is the commonly used term. The term "partial payment" is more descriptive of the type of payment to which reference is made.

In this provision it should be made clear that the payment is part of the handler's obligation for the quantity of milk delivered during the entire month although the payment is calculated by multiplying the hundredweight of milk delivered in the first 15 days by the Class II price of the preceding month.

Rulings on Proposed Findings and Conclusions

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General Findings

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on Exceptions

In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing Agreement and Order

Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Mississippi Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Mississippi Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the Federal Register. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Referendum Order; Determination of Representative Period; and Designation of Referendum Agent

It is hereby directed that a referendum be conducted to determine whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Mississippi marketing area, is approved or favored by the producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during the representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

The month of July 1969 is hereby determined to be the representative period for the conduct of such referendum. Cleo C. Taylor is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders (7 CFR 900.300 et seq.), such

referendum to be completed on or before the 30th day from the date this decision is issued.

Signed at Washington, D.C., on September 12, 1969.

RICHARD E. LYNG,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Mississippi Marketing Area

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Mississippi marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in a marketing agreement upon which a hearing has been held.

(4) All milk and milk products handled by handlers, as defined in this order, are in the current of interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 5 cents per hundredweight or such amount not to exceed 5 cents per hundredweight as the Secretary may prescribe, with respect to:

(i) Receipts of producer milk (including such handler's own production);

(ii) Other source milk allocated on Class I pursuant to § 1103.46(a) (3) and (7) and the corresponding steps of § 1103.46(b);

(iii) Class I milk disposed of from a partially regulated distributing plant as route dispositions in the marketing area that exceeds Class I milk received during the month at such plant from pool plants and other order plants; and

(iv) Receipts from a cooperative association in its capacity as a handler pursuant to § 1103.13(d).

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Mississippi marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on July 30, 1969, and published in the FEDERAL REGISTER on August 5, 1969 (34 F.R. 12710, F.R. Doc. 69-9133), shall be and are the terms and provisions of this order, and are set forth in full herein, subject to the revision of § 1103.15(b):

1. Revise § 1103.6 to read as follows:

§ 1103.6 Mississippi marketing area.

The "Mississippi marketing area" hereinafter called the "marketing area", means all of the territory geographically within the places listed below, all waterfront facilities connected therewith and all territory wholly or partially therein occupied by government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments all in the State of Mississippi:

COUNTIES

Adams.	Jones.
Attala.	Lamar.
Bolivar.	Lauderdale.
Calhoun (Beats 1 and 4 only).	Lawrence.
Carroll.	Leake.
Choctaw.	Leflore.
Claiborne.	Lincoln.
Clarke.	Lowndes.
Coahoma (Beats 4 and 5 only).	Madison.
Copiah.	Marion.
Covington.	Montgomery.
Forrest.	Neshoba.
Franklin.	Newton.
George.	Noxubee.
Greene.	Oktibbeha.
Grenada.	Pearl River.
Hancock.	Perry.
Harrison.	Quitman (Beats 2, 3, 4, and 5 and the village of Crowder including that portion in Panola County).
Hinds.	Rankin.
Holmes.	Scott.
Humphreys.	Sharkey.
Jackson.	Simpson.
Jasper.	Smith.
Jefferson.	Stone.
Jefferson Davis.	Sunflower.
	Tallahatchie.
	Walthall.
	Warren.
	Washington.
	Wayne.
	Webster (except Beat 5).
	Winston.
	Yazoo.
	Yalobusha (Beats 1, 4, and 5 only).

2. In § 1103.11 Pool plant, revise paragraphs (a) and (b) to read as follows:

§ 1103.11 Pool plant.

* * * * *

(a) A distributing plant, other than that of a producer-handler or one described in § 1103.61, from which during the month route disposition of fluid milk products is not less than 50 percent of its total receipts of Grade A milk and the volume so disposed of in the marketing area is at least 20 percent of the plant's total route disposition of fluid milk products;

(b) A supply plant from which a volume of fluid milk products not less than 50 percent of the Grade A milk received at such plant from dairy farmers is transferred during the month to a distributing plant(s) from which a volume of Class I milk not less than 50 percent of its receipts of Grade A milk from dairy farmers and from other plants is disposed of as route disposition during the month and the volume so disposed of in the marketing area is at least 20 percent of its total Class I route disposition: *Provided*, That any plant which was a pool plant pursuant to this paragraph in each of the months of September through January shall be a pool plant in each of the following months of February through August in which it does not meet the shipping requirements unless written request is filed with the market administrator prior to the beginning of any such month for nonpool status for the remaining months through August;

* * * * *

3. In § 1103.15 Producer, revise paragraph (b) to read as follows:

§ 1103.15 Producer.

* * * * *

(b) Diverted to a nonpool plant(s) by the operator of a pool plant or by a cooperative association as a handler pursuant to § 1103.13(c) during any of the months of December through August pursuant to subparagraphs (1) through (4) of this paragraph: That diversion to an other order plant shall be limited to Class II use;

* * * * *

(1) Diverted as milk of a dairy farmer whose milk is received for at least 10 days of production at pool plants during the months unless diverted pursuant to subparagraph (2) or (3) of this paragraph;

(2) Diverted as milk of a member of a cooperative association not diverting pursuant to subparagraph (1) of this paragraph, for the account of such cooperative association, if milk of the dairy farmer is delivered to a pool plant for at least 1 day's production during the month and the total quantity so diverted

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

by the cooperative for all producer members does not exceed 50 percent of the volume of Grade A milk from all producer members of such cooperative received at pool plants during the month;

(3) Diverted as milk of a dairy farmer not a member of a cooperative association for the account of a handler as the operator of a pool plant(s) not diverting pursuant to subparagraph (1) of this paragraph if milk of the dairy farmer is delivered to the handler's pool plant(s) for at least 1 day's production during the month and the total quantity so diverted by the handler from his pool plant(s) for nonmember producers does not exceed 50 percent of the total Grade A receipts of milk at his pool plant(s) from nonmember producers during the month;

(4) A dairy farmer shall be a producer with respect to only his milk received at a pool plant if delivery of milk of his production to nonpool plants does not comply with the limitations of subparagraphs (1), (2), and (3) of this paragraph. In the case of a handler diverting pursuant to subparagraphs (2) and (3) of this paragraph, if milk of the dairy farmers is moved to nonpool plants in a total quantity exceeding the percentages specified, the diverting handler shall designate the dairy farmers whose milk is not to be producer milk diverted pursuant to such subparagraph (2) or (3) of this paragraph and the quantities excluded for each dairy farmer. If the handler fails to make such designation the dairy farmers shall be producers only with respect to their milk delivered to pool plants.

4. In § 1103.53(a) subparagraph (1) is revised to read as follows:

§ 1103.53 Location differential to handlers.

(a) * * *

(1) For milk received at a pool plant located in the Mississippi marketing area except that part in George, Greene, Hancock, Harrison, Jackson, Pearl River, and Stone Counties.....	16.0

* * * * *

5. In § 1103.90 paragraph (b) is revised to read as follows:

§ 1103.90 Time and method of payment.

* * * * *

(b) On or before the last day of each month to each producer (1) for whom payment is not received from the handler by a cooperative association pursuant to paragraph (c) of this section, and (2) who had not discontinued shipping milk to such handler before the 18th day of the month, a partial payment equal to the Class II price for the preceding month for milk testing 3.5 percent butterfat multiplied by the hundredweight of milk received from such producer during the first 15 days of the current month.

* * * * *

[F.R. Doc. 69-11137; Filed, Sept. 17, 1969; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 148d]

[DESI 10507]

COMBINATION DRUG CONTAINING CYCLOSERINE AND ISONIAZID

Announcement and Proposal Regarding Drug Efficacy Study Findings of Human Use Drug

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drug: Seromycin with Isoniazid Capsules; contain cycloserine (250 milligrams) and isoniazid (150 milligrams); marketed by Eli Lily & Co., Post Office Box 618, Indianapolis, Ind. 46206.

The Food and Drug Administration concludes that, although cycloserine and isoniazid may be effective drugs when administered concommitantly in carefully considered amounts, a fixed combination is not safe and does not provide flexibility of dosage in either the treatment of tuberculosis or leprosy. The toxicity of cycloserine is so much greater than that of isoniazid that in fixed combination toxicity of the one drug compromises the use of the other. Consequently, there is a lack of substantial evidence that the fixed combination product will have the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

Because of the potentially serious side effects associated with the components of the fixed combination (for example, neurotoxic effects and dermatitis associated with both drugs), the Commissioner of Food and Drugs concludes that in the absence of substantial evidence of effectiveness for the fixed combination drug the regulations for the certification of antibiotic drugs should be amended to delete this combination from the list of drugs acceptable for certification. The Commissioner further concludes that the certificates of safety and effectiveness heretofore issued for the combination drug should be revoked on the basis of unwarranted hazards.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050–51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that Part 148d be amended by repealing § 148d.3 *Cycloserine capsules with isoniazid* and that certificates of safety and effectiveness issued thereunder for drugs containing cycloserine with isoniazid be revoked.

Any interested person may, within 30 days after publication hereof 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 views and comments (preferably in quintuplicate) or request an informal conference on matters pertinent to the proposals. Views and comments may be accompanied by a memorandum or brief in support thereof.

Dated: September 10, 1969.

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

[F.R. Doc. 69-11112; Filed, Sept. 17, 1969; 8:45 a.m.]

Notices

DEPARTMENT OF STATE

[Public Notice 315]

CUBA

Restriction on Travel of U.S. Citizens

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), travel to, in, or through Cuba is restricted as unrestricted travel to, in, or through Cuba would seriously impair the conduct of U.S. foreign affairs. To permit unrestricted travel would be incompatible with the resolutions adopted at the Ninth Meeting of Consultation of Ministers of Foreign Affairs of the Organization of American States, of which the United States is a member. At this meeting, held in Washington from July 21 to 26, 1964, it was resolved that the governments of the American states not maintain diplomatic, consular, trade or shipping relations with Cuba under its present government. This resolution was reaffirmed in the Twelfth Meeting of Ministers of Foreign Affairs of the OAS held in September 1967, which adopted resolutions calling upon Member States to apply strictly the recommendations pertaining to the movement of funds and arms from Cuba to other American nations. Among other things, this policy of isolating Cuba was intended to minimize the capability of the Castro government to carry out its openly proclaimed programs of subversive activities in the Hemisphere.

U.S. passports shall not be valid for travel to, in, or through Cuba unless specifically endorsed for such travel under the authority of the Secretary of State.

This public notice shall expire at the end of 6 months from the date of publication in the FEDERAL REGISTER unless extended or sooner revoked by public notice.

Effective date. This notice becomes effective on September 16, 1969.

Dated: September 15, 1969.

[SEAL] WILLIAM P. ROGERS,
Secretary of State.

[F.R. Doc. 69-11216; Filed, Sept. 17, 1969; 8:50 a.m.]

[Public Notice 314]

MAINLAND CHINA

Restriction on Travel of U.S. Citizens

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), travel to, in, or through Mainland China is restricted as unrestricted travel to, in, or through Mainland China would seriously impair the conduct of U.S. foreign affairs in view of the continuing unsettled conditions within Mainland China and the risks and dangers which might ensue from the inadvertent involvement of American citizens in domestic disturbances.

U.S. passports shall not be valid for travel to, in, or through Mainland China unless specifically endorsed for such travel under the authority of the Secretary of State.

This public notice shall expire at the end of 6 months from the date of publication in the FEDERAL REGISTER unless extended or sooner revoked by public notice.

Effective date. This notice becomes effective on September 16, 1969.

Dated: September 15, 1969.

[SEAL] WILLIAM P. ROGERS,
Secretary of State.

[F.R. Doc. 69-11219; Filed, Sept. 17, 1969; 8:50 a.m.]

[Public Notice 316]

NORTH KOREA

Restriction on Travel of U.S. Citizens

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(c), travel to, in, or through North Korea is restricted as unrestricted travel to, in, or through North Korea would seriously impair the conduct of U.S. foreign affairs. In view of the dangerous tensions in the Far East, the expressed and virulent hostility of the North Korean regime toward the United States, the increase in incidents along the military demarcation line, the seizure by North Korea of a U.S. naval vessel and its crew, and the special position of the Government of the Republic of Korea which is recognized by resolution of the United Nations General Assembly as the only lawful government in Korea, the Department of State believes that wholly unrestricted travel by American citizens to North Korea would seriously impair the conduct of U.S. foreign affairs.

U.S. passports shall not be valid for travel to, in, or through North Korea unless specifically endorsed for such travel under the authority of the Secretary of State.

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

Effective date. This notice becomes effective on September 16, 1969.

Dated: September 15, 1969.

[SEAL] WILLIAM P. ROGERS,
Secretary of State.

[F.R. Doc. 69-11217; Filed, Sept. 17, 1969; 8:50 a.m.]

[Public Notice 317]

NORTH VIET-NAM

Restriction on Travel of U.S. Citizens

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.72(b), travel to, in, or through North Viet-Nam is restricted as this is "a country or area where armed hostilities are in progress."

U.S. passports shall not be valid for travel to, in, or through North Viet-Nam unless specifically endorsed for such travel under the authority of the Secretary of State.

This public notice shall expire at the end of 6 months from the date of publication in the FEDERAL REGISTER unless extended or sooner revoked by public notice.

Effective date. This notice becomes effective on September 16, 1969.

Dated: September 15, 1969.

[SEAL] WILLIAM P. ROGERS,
Secretary of State.

[F.R. Doc. 69-11218; Filed, Sept. 17, 1969; 8:50 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[ATS 643.3-v]

PIG IRON FROM CANADA

Antidumping Proceeding Notice; Correction

The "summary of information" contained in the "Antidumping Proceeding Notice" with respect to pig iron from Canada, which was published in the FEDERAL REGISTER of September 6, 1969, is hereby corrected to read:

The information before the Bureau indicates the possibility that the prices for export to the United States of pig iron from Canada are substantially below the prices at which the merchandise is being sold in the home market.

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

[F.R. Doc. 69-11153; Filed, Sept. 17, 1969; 8:49 a.m.]

Office of the Secretary

TETRACYCLINE PRODUCTS FROM ITALY

Notice of Tentative Negative Determination

SEPTEMBER 9, 1969.

Information was received on December 26, 1968, that tetracycline products manufactured by Carlo Erba, S.p.A.,

Milan, Italy, 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.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of February 28, 1969, on page 3635.

I hereby make a tentative determination that tetracycline products manufactured by Carlo Erba, S.p.A., Milan, Italy, are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. No relationship within the meaning of section 207 of the Act between the manufacturer and the importer of the merchandise under consideration was found to exist.

In the home market the manufacturer did not sell the generic products sold to the United States. Sales of generic merchandise were made to third countries.

Purchase price was therefore compared with third country price of the generic product in both forms for fair value purposes.

Sales to the United States were made of the product in two forms, syrup and tablet.

Purchase price for both products was based on the f.a.s. Italian port price to the United States. From this was deducted inland freight incurred in Italy.

Third country price for the syrup was based on the price to third countries. From this price were deducted ocean freight, insurance and inland freight. Adjustment was made for the cost of certification that the product met U.S. Food and Drug standards. This was a requirement on sales to the United States not incurred in third country sales.

Third country price for the tablet product was also based on the price to third countries. From this was deducted ocean freight, insurance and inland freight. Adjustment was made for the cost of certification that the product met U.S. Food and Drug standards, and in one instance adjustment was made for a premium not ordinarily granted.

Purchase price was found to be not lower than third country price for both types of the product.

In accordance with § 53.33(b), Customs Regulations (19 CFR 53.33(b)), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views, arguments, or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 53.33 of the Customs Regulations (19 CFR 53.33).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

SEPTEMBER 9, 1969.

[F.R. Doc. 69-11154; Filed, Sept. 17, 1969; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

HEADS OF INSPECTION AND CONTRACT ADMINISTRATION SECTIONS

Redelegations of Authority

Redelegations of authority published in the FEDERAL REGISTER on July 6, 1968 (33 F.R. 9784), amended on September 13, 1968 (33 F.R. 12974), February 21, 1969 (34 F.R. 36), and August 9, 1969 (34 F.R. 152), are further amended by revising section 10.12d and adding section 10.12e to read as follows:

10.12 *Materials and equipment contracts.* * * *

d. The Head of the Inspection Section and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering the technical aspects of the contracts. This authority includes the functions of (1) acceptance or rejection of materials or equipment; (2) interpretation of technical specifications; (3) approval of tests; (4) surveillance and review of factory operations.

e. The Head of the Contract Administration Section and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering all functions of the contracts not redelegated to the Head of the Inspection Section, except for (1) execution of supplemental agreements; (2) making final decisions under the "Disputes" clause of any contract; or (3) terminating the Contractor's right to proceed for any reason.

Dated: September 8, 1969.

JOHN F. BALDINO,
Acting Administrator.

[F.R. Doc. 69-11113; Filed, Sept. 17, 1969; 8:45 a.m.]

Bureau of Land Management

[Serial No. N-2433]

NEVADA

Notice of Offering of Land for Sale

SEPTEMBER 11, 1969.

Notice is hereby given that under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421-1427), 43 CFR Subpart 2243, and pursuant to an application from Pershing County, Nev., the Secretary of the Interior will offer for sale the following tract of land:

MOUNT DIABLO MERIDIAN, NEVADA

T. 26 N., R. 31 E.,
Sec. 30, NW¼.

The area described contains 160.48 acres. The land is located about 8 miles south of Lovelock, Nev., and is planned for use as a dumpsite. This use is prescribed by Pershing County Ordinance No. 39.

It is the intention of the Secretary to enter into an agreement with Pershing County to permit the county to purchase the land at its appraised fair market value.

The land will be sold subject to all valid existing rights. Reservations will be made to the United States for rights-of-way for ditches and canals in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All minerals are to be reserved to the United States and withdrawn from appropriation under the public land laws, including the general mining laws.

Any adverse claimants to the above-described land should file their claims or objections with the undersigned within 30 days of the filing of this notice.

ROLLA E. CHANDLER,
Manager, Nevada Land Office.

[F.R. Doc. 69-11122; Filed, Sept. 17, 1969; 8:46 a.m.]

[Utah 9287]

UTAH

Order Providing for Opening of Public Lands

SEPTEMBER 10, 1969.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269) as amended (43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

SALT LAKE MERIDIAN

T. 13 N., R. 7 E.,
Sec. 24, SE¼NE¼, NE¼SE¼.

The areas described aggregate 80 acres.

2. The lands are located in Rich County. They lie on a steep slope and have no value for farming purposes. They have value for watershed, grazing, wildlife, and recreation which can best be managed under principles of multiple use. The lands have been acquired to further Federal programs. Public lands in this general area have been classified for multiple-use management and retention in Federal ownership.

3. The United States did not acquire minerals in the lands described herein.

4. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands will be opened at 10 a.m. on October 27, 1969, to application, petition, location, and selection, except for appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171).

All valid applications received at or prior to 10 a.m., October 27, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

5. Inquiries concerning the lands should be addressed to the Bureau of Land Management, Post Office Box 11505, Salt Lake City, Utah 84111.

R. D. NIELSON,
State Director.

[F.R. Doc. 69-11123; Filed, Sept. 17, 1969; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

VETERANS ADMINISTRATION HOSPITAL, WEST ROXBURY, MASS. 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. 70-00086-33-46040. Applicant: Veterans Administration Hospital, 1400 VFW Parkway, West Roxbury, Mass. 02132. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used to view ultrathin sections of tissues from humans and animals with disease processes. A fundamental purpose of the laboratory is to explore the usefulness of the electron microscope in understanding human disease. Another purpose is to train postdoctoral physicians to use the techniques of electron microscopy to follow their interests in dealing with disease. One of the specific types of problems which will be studied with this instrument will be an attempt to localize heavy metals within portions of cellular constituents. Application received by Commissioner of Customs: July 28, 1969.

Docket No. 70-00087-33-46040. Applicant: University of Chicago, Department of Pathology, 950 East 59th Street, Chicago, Ill. 60637. Article: Electron microscope, Model Elmiskop 51. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for the following studies:

(a) Aid in fast diagnosis of surgically removed, light microscopically "undifferentiated" tumors of human patients, and in differential diagnosis of human lymphomas and leukemias.

(b) Rapid screening of muscle biopsies of patients with various myopathies.

(c) Rapid screening of testis biopsies of patients with infertility.

(d) Checking of preparation procedures.

(e) Training of residents of Surgical Pathology and Surgery, and trainees in hematopathology ultrastructure.

Application received by Commissioner of Customs: July 28, 1969.

Docket No. 70-00088-33-46040. Applicant: University of Chicago, Department of Pathology, 950 East 59th Street, Chicago, Ill. 60637. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for research on human tissue removed during surgery and for the study of experimental animal tissues. Various projects which necessitate the use of a reliable high resolution electron microscope are listed below:

(a) Correlative light and electron microscopic study of human lymphomas and leukemias.

(b) Fine resolution for localization of ferritin labelled antibodies, and for radioisotope labelled incorporation studies of mucopolysaccharide and protein synthesis.

(c) Fine resolution of the molecular components of the human gastric mucus in "normal" patients and under the effect of drugs as studied with the negative staining method.

(d) Fine resolution study for the three dimensional reconstruction of consecutively serial sectioned cells of various, light microscopically not further identifiable, human malignant tumors, and three dimensional study of subcellular components of muscle cells in human myopathies.

Application received by Commissioner of Customs: July 28, 1969.

Docket No. 70-00090-01-85800. Applicant: University of Chicago, Argonne National Laboratory, 9700 South Cass Avenue, Argonne, Ill. 60439. Article: Velocity selector, high speed slotted disk type. Manufacturer: Werkspoor-Amsterdam, The Netherlands. Intended use of article: The article will be used to perform fundamental research in chemical kinetics by studying the collision of chemical reactions between atoms or molecules in a velocity selected fast beam and molecules in low velocity (thermal) beam as a function of the velocity of the fast beam. The velocity selector will be used in conjunction with a cathode sputtering source for producing neutral species of high velocity. Application received by Commissioner of Customs: July 31, 1969.

Docket No. 70-00091-33-46040. Applicant: University of Virginia, Department of Biology, Gilmer Hall, Charlottesville, Va. 22903. Article: Electron microscope, Model HU-11E-1. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for both training of graduate students and postdoctorates in the techniques and application of electron microscopy and for carrying out and supplying research projects regarding the genetics and differentiation of cells. The research projects presently underway are as follows:

1. The role of cytoplasmic microtubules in cell differentiation.

2. Structure and function of microtubules in the spermatozoa and mitotic spindles of insects.

3. Microtubules in the development and motility of sperm.

Application received by Commissioner of Customs: July 31, 1969.

Docket No. 70-00092-33-46040. Applicant: State University of New York at Buffalo, Office of Facilities Planning, Equipment Division, 3258 Main Street, Buffalo, N.Y. 14214. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used in the continued expansion of research on the experimental pathology of hypertensive disease. This program is directed toward the identification of the basic mechanisms involved in the pathogenesis of several new types of endocrine hypertension. Emphasis will be placed upon those varieties of hypertensive disease (adrenal regeneration and methylandrostenediol) and recently expanded to include hypertension produced by other androgens and metopirone. Application received by commissioner of customs: July 31, 1969.

Docket No. 70-00094-33-46040. Applicant: Veterans Administration Hospital, 1201 Northwest 16th Street, Miami, Fla. 33135. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for medical and basic research studies which will include the following investigations:

(a) Heart, liver, and kidney in animal models of decompensated liver disease in rates, guinea pigs, and monkeys.

Kidney and muscle in HgC12 model of acute renal failure in the rat.

Study of renal morphological changes in the Hepato-renal syndrome in humans.

(b) The presence of the globular leukocyte among the cells obtained by lung lavage of dogs and, where possible, relate the percentage of cells to the age of the animal and the presence of parasitic infections.

(c) Describe the ultrastructure of the globular leukocytes as obtained by lung lavage of dogs including phagocytic ability, if any, and to determine the presence of acid phosphates in the cytoplasmic inclusions. The morphology of globular leukocytes will be compared to that of the mast cell and the eosinophils.

Application received by commissioner of customs: August 4, 1969.

Docket No. 70-00095-33-46040. Applicant: The University of Vermont College of Medicine, Department of Anatomy, C425 Given Building, Burlington, Vt. 05401. Article: Electron microscope, Model EM 300. Manufacturer: Philips electronic N.V.D., The Netherlands. Intended use of article: The article will be used to investigate parainfluenza virus infection of the trachea in organ culture that leads to the formation of multinucleated giant cells which migrate to tracheal cartilage and are involved with degenerative changes of the cartilage. Another study concerns the development of diabetes mellitus in mice and nonhuman primates following infection with encephalomyocarditis virus. A continuing investigation of the pathogenesis of cytomegalovirus infection requires ultrastructural studies. Application received by Commissioner of Customs: August 4, 1969.

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

[F.R. Doc. 69-11104; Filed, Sept. 17, 1969; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

AREA OFFICES AT ATLANTA, GA., AND CERTAIN OTHER CITIES

Notice of Closing

Notice is hereby given that on or about September 8, 1969, the Federal Aviation Administration Area Offices in Atlanta, Ga.; Fort Worth, Tex.; Kansas City, Mo.; Los Angeles, Calif.; and New York, N.Y., will be closed. Operations and services provided the public by these area offices will be absorbed by the parent FAA regional headquarters offices currently located in those cities. Appropriate regional headquarters divisions will assume the functions previously performed by area offices for their former geographical areas. The major operating programs with which the public is concerned in this action are air traffic, flight standards, airway facilities, and airports.

Regional field offices and facilities in affected areas will continue to serve as in the past. Submissions to, and contacts with, such field elements remain the same.

The Atlanta, Ga., Area Office, formerly serving the geographic area consisting of the States of Georgia, North Carolina, and South Carolina, will be absorbed by the regional headquarters, Southern Region. Communications to the regional headquarters should be addressed as follows:

Director, FAA Southern Region, Post Office Box 20636, Atlanta, Ga. 30320.

The Fort Worth, Tex., Area Office formerly serving the geographic area consisting of the States of Oklahoma and Arkansas and the counties of the State of Texas as follows: Hardeman, Foard, Knox, Haskell, Jones, Taylor, Runnels, Wilbarger, Baylor, Throckmorton, Shackelford, Callahan, Coleman, Wichita, Archer, Young, Stephens, Eastland, Brown, Clay, Jock, Palo Pinto, Erath, Comanche, Mills, Hamilton, Montague, Wise, Parker, Hood, Somervell, Bosque, Cooke, Denton, Tarrant, Johnson, Hill, Coryell, McLennan, Grayson, Collin, Dallas, Rockwall, Ellis, Navarro, Limestone, Falls, Fannin, Hunt, Kaufman, Van Zandt, Henderson, Anderson, Freestone, Lamar, Delta, Hopkins, Rains, Wood, Smith, Red River, Franklin, Titus, Camp, Upshur, Gregg, Bowie, Cass, Morris, Marion, and Harrison, will be absorbed by the regional headquarters, Southwest Region. Communications to the regional headquarters should be addressed as follows:

Director, FAA Southwest Region, Post Office Box 1689, Fort Worth, Tex. 76102.

The Kansas City, Mo., Area Office, formerly serving the geographic area consisting of the States of Missouri, Kansas, Iowa, and Nebraska will be absorbed by the regional headquarters, Central Region. Communications to the regional headquarters should be addressed as follows:

Director, FAA Central Region, 601 East 12th Street, Kansas City, Mo. 64106.

The Los Angeles, Calif., Area Office, formerly serving the geographic area consisting of the State of Arizona and the following 10 counties in the State of California: Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, and Ventura, will be absorbed by the regional headquarters, Western Region. Communications to the regional headquarters should be addressed as follows:

Director, FAA Western Region, Post Office Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009.

The New York, N.Y., Area Office, formerly serving the geographic area consisting of the State of New York counties of Bronx, New York, Kings, Queens, Richmond, Nassau, Suffolk, Westchester, Rockland, Orange, Putnam, Dutchess, Ulster, and Sullivan; the State of Delaware; and the State of Pennsylvania counties of Tioga, Clinton, Centre, Huntington, Franklin, and all counties east thereof will be absorbed by the regional headquarters, Eastern Region. Communications to the regional headquarters should be addressed as follows:

Director, FAA Eastern Region, JFK International Airport, Jamaica, N.Y. 11430.

The above information will be reflected in the FAA Organization Statement the next time it is reissued.

(Sec. 313(a), 72 Stat. 752, 49 U.S.C. 1354)

Issued in Washington, D.C., on September 11, 1969.

H. B. ALEXANDER,
Acting Associate Administrator for Administration.

[F.R. Doc. 69-11135; Filed, Sept. 17, 1969; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 21016; Order 69-9-71]

CONSOLIDATED FREIGHTWAYS, INC.

Order of Tentative Approval

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of September 1969.

Application of Consolidated Freightways, Inc., for disclaimer of jurisdiction, exemption, or approval under section 408(b) of the Federal Aviation Act of 1958, as amended.

By application filed May 16, 1969,[1] Consolidated Freightways, Inc. (Freightways), requests that the Board disclaim jurisdiction over, or alternatively, exempt or approve pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), Freightways' acquisition from Natomas Co. of a 51 percent stock interest in Pacific Far East Lines, Inc. (PFEL).

Freightways is a holding company which, inter alia, wholly owns C. F. Airfreight, Inc. (CFA), an applicant for domestic and international air freight forwarder authority,[2] and Consolidated Freightways Corporation of Delaware (Consolidated, Del.), an intrastate and interstate motor carrier of general commodities.[3]

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[1] A supplement to the application was filed on June 6, 1969.

[2] By Order 69-4-100, Apr. 21, 1969, the Board, in the Motor Carrier-Air Freight Forwarder Investigation, Docket 16857, ordered, inter alia, that domestic and international operating authorizations be issued to CFA and approved Freightways' control of CFA. The Board's decision is presently pending review before the U.S. Court of Appeals for the Second Circuit, and CFA represents that it will file no tariff to qualify for air freight forwarder authority pending disposition of the present proceeding.

[3] Consolidated Del., in turn, controls, among other companies, Consolidated Warehouse Company of California, authorized by the California Public Utilities Commission to operate public warehouses in Los Angeles, and Canadian Freightways, Ltd., and Canadian Freightways Eastern Ltd., motor vehicle common carriers in Canada.

PFEL is a steamship company engaged in the transportation of cargo between, on the one hand, ports on the west coast of the United States (San Francisco, Los Angeles, and San Diego) and, on the other, Honolulu and other points among the Pacific Islands and in the Far East. PFEL's transpacific service is basically a Japan and Philippine Islands service. It also performs refrigerator service handling military perishable cargo from California and Washington to Far East points under a general agency agreement with the Maritime Administration.

The applicant states that Freightways' acquisition of PFEL is not expected to have any substantial impact on either the operating plans or volume and nature of the cargo carried by CFA. CFA will be organized as a separate entity and conduct its operations autonomously. CFA's salesmen will, however, solicit the customers of PFEL for air freight. The applicant also states that cargo moving from San Francisco to Japan requires a minimum of 10 days in transit, and more time is required for cargo moving from other west coast points to points beyond Japan. Freightways is limited to about four or five trips per month to most points in the Orient, and to about eight to 10 trips per month to Yokohama. Transportation by air offers a multitude of schedules spanning the Pacific Ocean in a matter of hours. Applicant contends that the bulk and weight of sea cargo makes makes it economically and physically unsuitable for transportation by air; and that because of the present differences in the characteristics of the two services, the acquisition of PFEL will result in no substantial diversion from sea to air, or from air to sea transportation. The applicant foresees no significant increase in the amount of intermodal traffic to be carried by CFA in concert with PFEL, and CFA anticipates no increase in business of either CFA or PFEL through the development of such intermodal traffic.

Freightways requests that the Board disclaim jurisdiction with respect to the application. In support of this request, applicant contends that the provisions of section 408(a) of the Act are not literally applicable to Freightways' acquisition of PFEL, and public interest considerations do not require the Board to disregard the corporate entities and hold that Freightways is an air carrier for section 408 purposes. Applicant asserts that the bulk and weight of sea cargo together with very substantial differences in transportation time and frequency of schedules for cargo shipment by sea vessels compared with cargo shipped by air, preclude the possibility of any substantial competition or conflict of interest between the sea operations of PFEL and the air forwarder operations of CFA.

Alternatively, applicant requests that the Board grant Freightways an exemption with respect to its acquisition of PFEL's stock, or approve the transaction without a hearing pursuant to the third proviso of section 408(b) of the Act. In support of its request for approval of the transaction under the third proviso of section 408, the applicant asserts that the transaction does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly and does not tend to restrain competition.

No objections with respect to the application have been received.

Upon consideration of the facts of record, the Board concludes that it would be inappropriate to disclaim jurisdiction. However, the Board tentatively concludes that the transaction should be approved, pursuant to the third proviso of section 408(b).

Applicant contends that public interest considerations do not warrant the Board's exercise of jurisdiction over the transaction in question. Since Freightways is a person controlling an air carrier and is seeking to acquire a majority stock interest in a common carrier, a literal reading of section 408 would indicate that Board approval under section 408 is not required. However, the Board has held that the policy of section 408 (a)(5) is to make unlawful, in the absence of Board approval, the unified control of certain types of enterprises which may have conflicting interests, and from the point of view of this policy there is no substantial difference between a situation where two operating companies are controlled by a single holding company and a situation where one of the operating companies controls the other.[4] In any event, Freightways has submitted to our jurisdiction and has requested an exemption from or approval under section 408 of the Act.

We now consider that portion of the application which requests Board approval of Freightways' acquisition of PFEL and whether it would be adverse to the public interest to permit Freightways to control an ocean common carrier while it also controls an air freight forwarder. On the basis of the information of record, the Board concludes tentatively that the control relationships resulting from Freightways' common control of PFEL and CFA do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly, do not tend to restrain competition, and would not be inconsistent with the public interest. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing, and the Board tentatively concludes that the public interest does not require a hearing.

CFA will be organized as a separate entity and conduct its operations autonomously. Also, CFA's salesmen will be authorized to solicit customers of PFEL for air freight. In connection with CFA's application for air freight forwarder authority in the Motor Carrier-Air Freight Forwarder Investigation, supra, Freightways submitted a proposal demonstrating conscientious promotion of air cargo. These circumstances indicate that the development of air cargo will be stimulated, while effective competition by direct air carriers and existing independent air freight forwarders will not be reduced.

Furthermore, we have carefully considered the control relationships from the standpoint of conflicts of interest arising from the unified control of air and sea transportation companies, and find that no situation involving significant conflicts of interest vis-a-vis air freight forwarding is presented. To begin with, it is difficult to discern that any significant conflicts would arise as a result of CFA's domestic air freight forwarding operations. In the international area, for any measurable conflicts of interest to arise, CFA's air freight forwarding activities must compete with the ocean carriers' services in the same market. The bulk and weight of sea cargo transported by PFEL makes it economically and practically unsuitable for transportation by air. Only a minuscule amount of shipments weighing less than 100 pounds is carried by PFEL on an average voyage. Insofar as shipments weighing less than 5,000 pounds and measuring 100 cubic feet per shipment are concerned, PFEL's average voyage in Japan service accounts for 11.7 percent of its commercial revenues for outbound and 7 percent of such revenues for inbound shipments. In its Philippine service, similar shipments account for 2.2 percent and 1.67 percent of PFEL's commercial revenues for outbound and inbound shipments, respectively. Also, with respect to PFEL's sea operations, a significant factor is the existing market disparity in frequency of departures and in-transit time compared to air transportation. In these circumstances, there appears to be no reasonable expectancy of effective competition in the immediate future between PFEL's operations and those of CFA, or other indirect or direct air carriers. However, should future experience disclose the development of significant competition between sea and air transportation, or create a situation giving rise to meaningful conflicts of interest between an air freight forwarder and an ocean carrier under common control, the Board has the means to review its final action of approval. The Board intends to retain jurisdiction over the control relationships subject to its approval.

In view of the foregoing, the Board tentatively concludes that it should approve, without a hearing, under the third proviso of section 408(b) of the Act, the control of PFEL by Freightways while the latter controls CFA. In accordance with the requirements of section 408(b) of the Act, this order, constituting notice of the Board's tentative findings and conclusions, will be published in the FEDERAL REGISTER and interested persons will be afforded an opportunity to file comments or request a hearing on the Board's tentative decision.

Accordingly, it is ordered:

1. That interested persons are hereby afforded a period of ten (10) days from the date of service of this order within

[4] Air Freight Forwarder Case, 9 CAB 473, 504 (1948).

which to file comments or request a hearing with respect to the Board's tentative action on the application in Docket 21016; [5] and

2. That the Attorney General of the United States be furnished a copy of this order within 1 day of publication.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[6]

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 69-11140; Filed, Sept. 17, 1969; 8:48 a.m.]

[Docket No. 20638, etc.]

NORFOLK-NEW YORK PROCEEDING

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing on the above-entitled matter is assigned to be held on October 15, 1969, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner John E. Faulk.

Notice is also given that the Bureau of Operating Rights will participate in the hearing. The Bureau's exhibits shall be filed on or before September 30, 1969, and any rebuttal exhibits thereto shall be filed on or before October 10, 1969.

Dated at Washington, D.C., September 15, 1969.

[SEAL] THOMAS L. WRENN, *Chief Examiner.*

[F.R. Doc. 69-11155; Filed, Sept. 17, 1969; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report 457]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

SEPTEMBER 15, 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 list below, 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 below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBLIE RADIO SERVICE

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

1181-C2-P-70—General Telephone Co., of Wisconsin (New), C.P. for new 2-way station to be located at 525 Superior Street, Antigo, Wis., to operate on base frequency 152.780 MHz.

1182-C2-P-70—Tel-Page Corp. (KEC941), C.P. to add base station to operate on frequency 454.050 MHz at existing site 222 Midtown Plaza, Rochester, N.Y.

1183-C2-P-(2)-70—The Mountain States Telephone & Telegraph Co. (KON915), C.P. to change antenna system operating on frequencies 152.51 and 152.75 MHz at station located at 3.7 miles northeast of Flagstaff, Ariz.

1184-C2-MP-70—Whidbey Telephone Co. (KOP303), Modification of C.P. to replace transmitter operating on frequency 35.62 MHz at station located at 2.5 miles southwest of Langley, Wash.

1185-C2-P-70—Tel-Page Corp. (New), C.P. for new 2-way station to be located at 0.25 mile southwest of junction of Parish and McCarthy Roads, Ionia, N.W. to operate on frequency 454.100 MHz.

1186-C2-P-70—General Telephone Co. of Florida (New), C.P. for a new Developmental Air-Ground station. Frequencies: 454.675 MHz (signaling); 454.750 MHz (Base). Location: 1.2 miles 5° E. of south from Ruskin, Fla. Auxiliary test—Frequency: 459.750 MHz. Location: 519 Zack Street, Tampa, Fla.

1187-C2-P-70—Southern Bell Telephone & Telegraph Co. (New), C.P. for a new Developmental Air-Ground station. Frequencies: 454.675 MHz (signaling); 454.775 MHz (Base). Location: Approximately 1.5 miles southwest of Perrine, Fla.

1200-C2-P-70—James F. McGuinness, doing business as Mobilfone of Monmouth and Ocean (KEJ886), C.P. to change antenna system and relocate facilities to northwest corner Freeway 35 and West Bangs Avenue, Neptune, N.J., operating on base frequency 454.10 MHz.

1201-C2-P-(3)-70—General Telephone Co. of the Southwest (KKO351), C.P. to change transmitter combiner, transmitter power for frequencies 152.60 MHz and 152.72 MHz at station located at 5.8 miles west of San Angelo, Tex. Also add a third channel to operate on base frequency 152.78 MHz.

1221-C2-P-70—Hager City Telephone Co. (KJU798), C.P. for additional base channel to operate on frequency 152.54 MHz at station located off U.S. Highway 63, approximately 2 miles north-northeast of Hager City, Wis.

1222-C2-P-70—Radio Dispatch Service (KQK577), C.P. to change antenna system and relocate facilities to: On U.S. Highway 31, ¼ mile east of Holland, Mich., operating on frequency 152.09 MHz.

1223-C2-MP-70—American Radio-Telephone Service, Inc. (KGA249), C.P. to change antenna system and replace transmitter operating on base frequency 454.05 MHz at location No. 2: Rolling Road, 0.23 mile north of U.S. Route 40, Catonsville, Md.

1224-C2-P-(2)-70—Radio Dispatch, Inc. (KLB701), C.P. for additional base channels to operate on frequencies 454.275 MHz and 454.225 MHz at location No. 1: Orchard Street and Highway No. 36, Rosenberg, Tex.

1225-C2-P-(3)-70—Telephone Answering Service, Inc. (KGA805), C.P. for an additional transmitter to operate on frequency 43.58 MHz to be located at a new site identified as location No. 2: 47 Bailey Street, Pittsburgh, Pa. Location No. 3: Allegheny General Hospital, 320 East North Avenue, Pittsburgh, Pa. Location No. 4: Washington Plaza Apartments, 1420 Centre Avenue, Pittsburgh, Pa.

1226-C1/C2-AL-(3)-70—Ark-La-Tex Mobile Radio Service (KLB756), (KLB494), Consent to assignment of license from: Ark-La-Tex Mobile Radio Service Assignor, to: Ark-La-Tex Mobile Radio Service, Inc., Assignee.

1231-C2-AL-70—John Ruger, Jr. doing business as Vegas Instant Page (KFL943), Consent to assignment of license from: John Ruger, Jr., doing business as Vegas Instant Page, Assignor to: Vegas Instant Page, Assignee.

1249-C2-P-70—The Pacific Telephone & Telegraph Co. (KMA612), C.P. for additional channel to operate on frequency 454.525 MHz at location No. 2: 95 Almaden Avenue, San Jose, Calif.

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[1] 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.

[2] The above alternative cutoff rules apply to those applications listed below 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).

[3] Comments shall conform to the requirements of the Board's rules of practice. Further, since an opportunity to file comments is provided for, petitions for reconsideration of this order will not be entertained.

[6] Dissenting statement of Vice Chairman Murphy filed as part of original document.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

1250–C2–P–70—Wisconsin Telephone Co. (KSA806), C.P. for additional channel to operate on frequency 152.54 MHz at location No. 1: 122 West Main Street, Madison, Wis.
1252–C2–P–70—Western Mobilphone, Inc. (KKM582), C.P. to relocate control facilities to: 1000 Second Street, Albuquerque, N. Mex., operating on frequency 454.25 MHz.
1251–C2–P–70—Mary E. Anstead, doing business as Boston Two-Way Radio Service (KCC263), C.P. to reduce antenna height at location No. 2: 350 Cedar Street, Needham Heights, Mass. operating on frequency 152.12 MHz.

Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's rules reguarding ex parte presentations, by reasons of potential electrical interference.

Massachusetts

Boston Mobile Telephone Co., Inc. (New), 5751–C2–P–(5)–69.
North Shore Communications Inc. (KCC483), 7358–C2–P–(2)–69.

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Massachusetts

Boston Mobile Telephone Co., Inc. (New), 5751–C2–P–(5)–69.
Electrocom Corp. (New), 7378–C2–P–(5)–69.

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Massachusetts

North Shore Communications, Inc. (KCC483), 7358–C2–P–(2)–69.
Mary E. Anstead, doing business as Boston Two-Way Radio Service (KCC263), 7371–C2–P–(3)–69.

Rhode Island

Rhode Island Mobile Radio Service, Inc. (New), 7700–C2–P–(3)–69.

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Massachusetts

Peabody Telephone Answering Service (KCC786), 7370–C2–P–69.

Rhode Island

Rhode Island Mobile Radio Service, Inc. (New), 7700–C2–P–(3)–69.

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Massachusetts

C. Larry and Jeannine M. Lathum, doing business as Suburban Two Way Radio Service (New), 7373–C2–P–69.
Electrocom Corp. (New), 7378–C2–P–(5)–69.

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Rhode Island

Rhode Island Mobile Radio Service, Inc. (New), 7700–C2–P–(3)–69.
Joseph Giorgianni (KCA725), 924–C2–P–70.

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Wisconsin

Wisconsin Telephone Co. (New), 2974–C2–P–69.
General Telephone Co. of Wisconsin (New), 560–C2–P–69.

RURAL RADIO SERVICE

1201–C1–P/L–70—Glacier State Telephone Co. (New), C.P. and license for new station to be located in any temporary fixed location within the territory of grantee to operate on frequency 158.01 MHz.
1227–C1–P/L–70—The Mountain States Telephone & Telegraph Co. (New), C.P. and license for a new fixed station to be located at 9.3 miles south-southwest of Hanna, Wyo., to operate on frequency 158.07 MHz.
1226–C1/C2–AL–(3)–70—Ark-La-Tex Radio Service (KKK93), Consent to assignment of license from: Ark-La-Tex Mobile Radio Service, Assignor to: Ark-La-Tex Mobile Radio Service, Inc., Assignee.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)

1188–C1–P–70—The Chesapeake & Potomac Telephone Co. of West Virginia (New), C.P. for a new station. Frequencies: 6286.2 and 6404.8 MHz. Location: 816 Lee Street, Charleston, W. Va.
1189–C1–P–70—The Chesapeake & Potomac Telephone Co. of West Virginia (New), C.P. for a new station. Frequencies: 6034.2 and 6152.8 MHz. Location: 3.7 miles east-southeast of Malden, W. Va.
1190–C1–P–70—The Chesapeake & Potomac Telephone Co. of West Virginia (New), C.P. for a new station. Frequencies: 6286.2, 6345.5, 6404.8, 10,755 MHz. Location: 3.9 miles north of Layland, W. Va.
1191–C1–P–70—The Chesapeake & Potomac Telephone Co. of West Virginia (KYJ69), C.P. to add 6063.8, 11,685 MHz directed toward Layland, W. Va., at its station located 2.5 miles northwest of Rainelle, W. Va.
1192–C1–P–70—The Chesapeake & Potomac Telephone Co. of West Virginia (New), C.P. for a new station. Frequencies: 6034.2 and 6152.8 MHz. Location: 200 Woodlawn Avenue, Beckley, W. Va.
1207–C1–P–70—General Telephone Co. of Florida (KIL88), C.P. to change antenna system and replace transmitter operating on 11,485 MHz directed toward WEDU–TV Studios, Tampa, Fla., at its station located corner of Zack and Morgan Streets, Tampa, Fla.
1208–C1–P–70—The Bell Telephone Co. of Pennsylvania (KGO87), C.P. to add 10,835 and 11,075 MHz directed toward Wopsononock via Cathedrall Hill passive reflector at its station located 1119 16th Street, Altoona, Pa.
1209–C1–P–70—The Bell Telephone Co. of Pennsylvania (KGP36), C.P. to add 6360.3 and 11,565 toward Pine Grove Mills and add 11,285, 11,525 MHz directed toward Altoona via Cathedrall Hill passive reflector at its station located 4 miles north of Altoona, Wopsononock Mountain, Pa.
1210–C1–P–70—The Bell Telephone Co. of Pennsylvania (KGO89), C.P. to change frequency 11,115 MHz to 6056.4 MHz directed toward Huntingdon via passive reflector and add 6137.9, 11,115 MHz toward Wopsononock Mountain at its station located 1.5 miles south of Pine Grove Mills, Pa.
1211–C1–P–70—The Bell Telephone Co. of Pennsylvania (KGO88), C.P. to change frequency 11,565 MHz to 6412.2 MHz directed toward Pine Grove Mills via passive reflector at its station location 807 Washington Street, Huntingdon, W. Va.
1228–C1–P–70—Mountain States Telephone & Telegraph Co. (KPT32), C.P. to add frequency 5937.8 MHz toward Clay Peak, Idaho, and change the point of communication for 10,995 MHz from Clay Peak, Idaho, to Emmett, Idaho. Station location: 2.8 miles south of Emmett, Idaho.
1229–C1–P–70—Mountain States Telephone & Telegraph Co. (KVD66), C.P. to add frequency 11,445 MHz toward Freezeout, Idaho. Station location: 204 East Main Street, Emmett, Idaho.
1230–C1–P–70—Mountain States Telephone & Telegraph Co. (KPT33), C.P. to change frequency from 11,445 to 6189.8 MHz toward Freezeout, Idaho; replace transmitter operating on same and change the antenna system located at 0.8 mile southeast of Payette, Idaho.

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

1232-C1-P-70—Chesapeake & Potomac Telephone Co. of Maryland (New), C.P. for a new fixed station to be located at No. 10 Light Street, Baltimore, Md., to operate on frequency 11,405.0 MHz.

Major Amendment

7723-C1-P-69—Illinois Bell Telephone Co. (KSN61), Change frequency 10,915 MHz toward Lorenzo, Ill., to 10,875 MHz. Station location: 2.8 miles east-southeast of Norway, Ill.

7724-C1-P-69—Illinois Bell Telephone Co. (KYC83), Change frequency 11,365 MHz toward Norway, Ill., to 11,325 MHz. Station location: 3.5 miles northwest of Lorenzo, Ill. All other particulars same as reported in public notice dated June 30, 1969, Report No. 446.

Corrections

858-C1-P-70—Hawaiian Telephone Co. (KIG36), Correct call sign to read KTG36. All other terms same as indicated in Report No. 454, dated Aug. 25, 1969.

859-C1-P-70—Hawaiian Telephone Co. (KIG37), Correct call sign to read KTG37. All other terms as above.

1018-C1-P-70—Pacific Telephone & Telegraph Co. (KMQ50), Correct call sign to read KMQ30. All other terms same as indicated in Report No. 455, dated Sept. 2, 1969.

1020-C1-P-70—Pacific Telephone & Telegraph Co. (KNG55), Correct to add frequency 6315.9 MHz toward Hall Canyon Hill, Calif. All other terms same as indicated in Report No. 455, dated Sept. 2, 1969.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

1203-C1-ML-70—Alabama Microwave, Inc. (KJG39), Modification of license to change frequencies to 6226.9, 6286.9, and 6345.5 MHz toward Fort Myers and Cape Coral and to 6226.9 MHz toward North Fort Myers, Fla. Location: 5.3 miles southeast of Acline, Fla.

1204-C1-ML-70—Alabama Microwave, Inc. (KTF24), Modification of license to change frequency to 6063.8 MHz toward Edgeville, Fla. Location: 2 miles north of Verna, Fla.

1205-C1-ML-70—Alabama Microwave, Inc. (KJG37), Modification of license to change frequencies to 6197.2 and 6315.9 MHz toward Fort Ogden, Fla. Location: Edgeville, Fla.

1206-C1-ML-70—Alabama Microwave, Inc. (KJG38), Modification of license to change frequencies to 5974.8, 6034.2, and 6093.5 MHz toward Acline, Fla., and 6093.5 MHz toward Port Charlotte, Fla. Location: Fort Ogden, Fla.

Major Amendment

390-C1-P-68—KHC Microwave Corp. (New), Amended to delete Roanoke, La., as point of communication; and add frequencies 5960.0 and 6019.3 MHz via power split, toward new point of communication at Sulphur, La. (lat. 30°13'15" N., long. 93°21'36" W.) on azimuth of 237°16'. Transmitter location: 1.2 miles northeast of Mossville, La. (Informative: Applicant proposes to provide the TV signals of stations KHTV and KUHT, Houston, Tex., to Continental Communications Corp. in Sulphur, La. Other particulars are same as reported in public notice dated Aug. 14, 1967.)

Informative

It appears that the following sets of applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentation by reasons of economic competition:

Minnesota/South Dakota

Minnesota Microwave, Inc., File Nos. 985 through 987-C1-P-70 (PN 9-2-69).
Mountain Microwave Corp., File No. 7705-C1-P-69 (PN 6-23-69).

[F.R. Doc. 69-11142; Filed, Sept. 17, 1969; 8:48 a.m.]

FEDERAL RESERVE SYSTEM

MARSHALL & ILSLEY BANK STOCK CORP.

Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Marshall & Ilsley Bank Stock Corp., Milwaukee, Wis., for approval of acquisition of 80 percent or more of the voting shares of Westfield State Bank, Westfield, Wis.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 22.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Marshall & Ilsley Bank Stock Corp., Milwaukee, Wis., a registered bank holding company, for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of Westfield State Bank, Westfield, Wis.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking for the State of Wisconsin and requested his views and recommendation. The Commissioner offered no objection to approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 8, 1969 (34 F.R. 7474), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

Dated at Washington, D.C., this 4th day of September 1969.

By order of the Board of Governors.[2]

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.

[F.R. Doc. 69-11106; Filed, Sept. 17, 1969; 8:45 a.m.]

MARSHALL & ILSLEY BANK STOCK CORP.

Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Marshall & Ilsley Bank Stock Corp. of Milwaukee, Wis., for approval of acquisition of 80 percent or more of the voting shares of Adams County State Bank, Adams, Wis.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Marshall & Ilsley Bank Stock Corp., Milwaukee, Wis., a registered bank holding company, for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of Adams County State Bank, Adams, Wis.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking for the State of Wisconsin and requested his views and recommendation. The Commissioner offered no objection to approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 8, 1969 (34 F.R. 7473), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.

or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

Dated at Washington, D.C., this 4th day of September 1969.

By order of the Board of Governors.[2]

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

[F.R. Doc. 69-11107; Filed, Sept. 17, 1969; 8:45 a.m.]

MARSHALL & ILSLEY BANK STOCK CORP.

Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Marshall & Ilsley Bank Stock Corp. of Milwaukee, Wis., for approval of acquisition of 80 percent or more of the voting shares of The People's Bank, Coloma, Wis.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Marshall & Ilsley Bank Stock Corp., Milwaukee, Wis., a registered bank holding company, for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of The People's Bank, Coloma, Wis.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking for the State of Wisconsin and requested his view and recommendation. The Commissioner offered no objection to approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 8, 1969 (34 F.R. 7473), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

Dated at Washington, D.C., this 4th day of September 1969.

By order of the Board of Governors.[2]

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

[F.R. Doc. 69-11108; Filed, Sept. 17, 1969; 8:45 a.m.]

MARSHALL & ILSLEY BANK STOCK CORP.

Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Marshall & Ilsley Bank Stock Corp., Milwaukee, Wis., for approval of acquisition of 80 percent or more of the voting shares of The Portage County Bank, Almond, Wis.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Marshall & Ilsley Bank Stock Corp., Milwaukee, Wis., a registered bank holding company, for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of The Portage County Bank, Almond, Wis.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking for the State of Wisconsin and requested his views and recommendation. The Commissioner offered no objection to approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 8, 1969 (34 F.R. 7473), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

Dated at Washington, D.C., this 4th day of September 1969.

By order of the Board of Governors.[2]

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

[F.R. Doc. 69-11109; Filed, Sept. 17, 1969; 8:45 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE CZECHOSLOVAK SOCIALIST REPUBLIC

Entry or Withdrawal From Warehouse for Consumption

SEPTEMBER 15, 1969.

On August 29, 1969, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a new comprehensive bilateral cotton textile agreement with the Government of the Czechoslovak Socialist Republic concerning exports of cotton textiles and cotton textile products from the Czechoslovak Socialist Republic to the United States over a 2-year period beginning on May 1, 1969, and extending through April 30, 1971. Among the provisions of the agreement are those establishing an aggregate limit for the 64 Caterogies and within the aggregate limit a specific limit on Category 26 (other than duck).

On April 17, 1969, the Chairman of the President's Cabinet Textile Advisory Committee issued, pursuant to Article 3 of the Long-Term Arrangement Regarding International Trade in Cotton Textiles, a directive regarding exports of cotton textiles in Category 26 (other than duck). The letter published below cancels and supersedes the aforementioned letter.

Accordingly, there is published below a letter of September 12, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amounts of cotton textiles in Category 26 (other than duck) produced or manufactured in the Czechoslovak Socialist Republic which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning May 1, 1969, and extending through April 30, 1970, be limited to the designated level. The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.

[2] Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Maisel, and Brimmer. Absent and not voting: Governor Sherrill.

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.

[2] Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Maisel, and Brimmer. Absent and not voting: Governor Sherrill.

[3] Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Maisel, and Brimmer. Absent and not voting: Governor Sherrill.

only in the implementation of certain of its provisions.

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

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

SEPTEMBER 12, 1969.

DEAR MR. COMMISSIONER: This directive cancels and supersedes the directive issued to you on April 17, 1969, by the Chairman, President's Cabinet Textile Advisory Committee, regarding imports of cotton textiles in Category 26 (other than duck) [1] produced or manufactured in the Czechoslovak Socialist Republic.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of August 29, 1969, between the Governments of the United States and the Czechoslovak Socialist Republic, and in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning May 1, 1969 and extending through April 30, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles in Category 26 (other than duck) [1] produced or manufactured in the Czechoslovak Socialist Republic, in excess of the level of restraint for the period of 1 million square yards.

Cotton textiles in Category 26 (other than duck) [1] produced or manufactured in the Czechoslovak Socialist Republic and which have been exported prior to May 1, 1969, shall not be subject to this directive.

The level of restraint set forth above is subject to adjustment pursuant to the provisions of the bilateral agreement of August 29, 1969, between the Governments of the United States and the Czechoslovak Socialist Republic which provide, in part, that within the aggregate limit, the limitation on Category 26 (other than duck) [1] may be exceeded by not more than 5 percent; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Czechoslovak Socialist Republic and with respect to imports of cotton textiles and cotton textile products from the Czechoslovak Socialist Republic have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965–68). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

MAURICE H. STANS,
Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 69–11145; Filed, Sept. 17, 1969; 8:48 a.m.]

[1] The T.S.U.S.A. Nos. for duck fabric not covered by this directive are:

320...01 through 04, 06, 08
321...01 through 04, 06, 08
322...01 through 04, 06, 08
326...01 through 04, 06, 08
327...01 through 04, 06, 08
328...01 through 04, 06, 08

NATIONAL COMMISSION ON PRODUCT SAFETY

HOUSEHOLD PRODUCTS PRESENTING HEALTH AND SAFETY RISK

Notice of Hearing

Notice is hereby given that pursuant to section 3(a) of Public Law 90–146, the National Commission on Product Safety will hold public hearings at 9:30 a.m. on September 30 and October 1, 1969, in the Caucus Room, Cannon House Office Building, Independence Avenue SE., Washington, D.C. The subject matter of the hearings will be: "Who Tells Us About Safety: Education, Advertising, Public Information?"

This notice amends a prior notice of said hearing which appeared in the FEDERAL REGISTER on August 20, 1969 (34 F.R. 13442).

Dated: September 12, 1969.

ARNOLD B. ELKIND,
Chairman.

[F.R. Doc. 69–11239; Filed, Sept. 17, 1969; 8:50 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Reg.; Temporary Reg. F–54]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in an electric service rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the New Jersey Board of Public Utility Commissioners in a proceeding involving electric service rates of Jersey Central Power and Light Co. and New Jersey Power and Light Co. (Dockets Nos. 698–540 and 698–541).

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: September 12, 1969.

JOHN W. CHAPMAN, Jr.,
Acting Administrator of General Services.

[F.R. Doc. 69–11110; Filed, Sept. 17, 1969; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70–4787]

COLUMBIA GAS SYSTEM, INC. ET AL.

Notice of Proposed Exchange of Assets and Securities Among Holding Company and Nonutility Subsidiary Companies Pursuant to Reorganization Agreement

SEPTEMBER 11, 1969.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), 120 East 41st Street, New York, N.Y. 10017, a registered holding company, and two of its wholly owned nonutility subsidiary companies have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9, 10, 12(c), and 12(f) and Rules 42 and 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

The Preston Oil Co. ("Preston"), an Ohio corporation, 1600 Dublin Road, Columbus, Ohio 43212, is a wholly owned subsidiary company of Columbia and is engaged in the business of producing, purchasing, storing, selling, and dealing in oil in the States of Kentucky, Ohio, Pennsylvania, and West Virginia, and in the business of producing, purchasing, transporting, and selling natural gas at wholesale in the States of Louisiana and Texas.

Columbia Petroleum Corp. ("Petroleum"), 1600 Dublin Road, Columbus, Ohio 43212, is a newly formed corporation organized and existing under the laws of the State of Delaware, and upon consummation of the transactions herein proposed will become a wholly owned

subsidiary company of Columbia engaged in the business of producing, purchasing, storing, selling, and dealing in oil in the States of Kentucky, Ohio, Pennsylvania, and West Virginia.

Preston has conducted oil and gas operations for the Columbia system both before and since the Commission's determination in November, 1944 (17 SEC 494) that such company could be retained in the system pursuant to the provisions of section 11(b)(1) of the Act. When Columbia determined that in order to augment its gas supply, it must engage in exploration and development activities in the southwest area of the United States, Preston was selected as the company to engage in these activities. Columbia has decided that such activities, due to the critical gas supply shortage, must be continued and extended and that they can best be handled by Petroleum, operating as a separate company, which, together with Columbia Gulf Transmission Co. ("Columbia Gulf"), also a wholly owned subsidiary company of Columbia, would comprise, and be operated as, the "Houston Group" of the System. It is planned that following the consummation of the transactions proposed herein Preston would be renamed and given a designation not yet determined, while Petroleum would be renamed The Preston Oil Co.

Columbia, Preston and Petroleum have entered into a Reorganization Agreement and Plan, providing for the transfer to Petroleum of all of Preston's assets, properties, franchises, and business in the States of Kentucky, Ohio, Pennsylvania, and West Virginia, which Preston uses in connection with its oil business. Such assets and properties will be transferred at the aggregate book value thereof less the related reserves on the books of Preston as of the closing date and which, as at June 30, 1969, aggregated $8,801,389.

Petroleum will assume all liabilities and obligations of Preston (excluding accounts payable) allocable or attributable to, the assets and properties to be transferred to Petroleum. Petroleum will not, however, assume any of Preston's outstanding long-term installment promissory notes payable to Columbia (Preston notes).

In payment for the assets and properties transferred, Petroleum will deliver to Preston long-term installment promissory notes (Petroleum notes) in an aggregate principal amount equal to sixty percent (60%), of the net book value thereof and will also issue and deliver to Preston the number of shares of its common stock, $25 par value, as shall equal the remainder of the net book value of the assets and properties transferred.

The Petroleum notes deliverable pursuant to this reorganization shall have, to the extent practicable, the same terms and bear interest at the same rates per annum as the Preston notes, and shall be issued in the same respective aggregate principal amounts.

Preston will deliver to Columbia the Petroleum notes in prepayment of an equal principal amount of Preston notes now owned by Columbia. In connection with such prepayment, Preston will select and prepay its notes in such proportions that, after all prepayments shall have been effected, there will not have been any change in the averages, weighted as to principal amounts, of the interest rates borne by the maturities of the Preston notes.

Preston will deliver to Columbia the common stock of Petroleum it receives and in consideration therefor, Preston shall receive from Columbia shares of common stock of Preston having an equal aggregate par value. Preston will, after appropriate corporate action, retire such shares of common stock.

Upon the consummation of the transactions herein proposed, Preston will cease to produce, purchase, store, sell, and deal in oil and in other things incident to said business in the States of Kentucky, Ohio, Pennsylvania, and West Virginia.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees, commissions and expenses in connection with the proposed transactions are to be supplied by amendment.

Notice is further given that any interested person may, not later than September 26, 1969, request in writing that a hearing be held with respect to the joint application-declaration, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-11147; Filed, Sept. 17, 1969; 8:48 a.m.]

[File No. 1-4310]

FEDERATED PURCHASER, INC.

Order Suspending Trading

SEPTEMBER 12, 1969.

The common stock, 10 cents par value, of Federated Purchaser, Inc., being listed and registered on the American Stock Exchange pursuant to the provisions of the Securities Exchange Act of 1934 and all other securities of Federated Purchaser, Inc., 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 such securities 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 September 15, 1969, through September 24, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-11151; Filed, Sept. 17, 1969; 8:49 a.m.]

[812-2444]

MAIRS AND POWER INCOME FUND, INC.

Notice of Filing of Application for Order of Exemption

SEPTEMBER 12, 1969.

Notice is hereby given that Mairs and Power Income Fund, Inc. ("Applicant"), 2062 First National Bank Building, St. Paul, Minn. 55101, an open-end diversified management investment company registered under the Investment Company Act of 1940 (the "Act"), has applied pursuant to section 6(c) of the Act for an order exempting Applicant from Rule 22c-1 of the rules and regulations under the Act to the extent that said rule requires that shares of Applicant be priced for sale on the day orders for the purchase of such shares are received. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Orders for shares of Applicant that are received in any week are filled at the net asset value as of the close of business on Friday of that week. Redemptions are priced as of the day shares are tended for redemption. Persons filing orders have the right to cancel purchase orders previously given at any time until the close of business on Friday of the week in which the order was given.

Applicant, which has been operating for nearly 7 years, has 70 shareholders

and assets of approximately $1,015,516. An average of one order per week for either the purchase or redemption of shares has been received during the past 1½ years. Applicant's expense ratio over the past 7 years has ranged from 0.77 percent to 0.92 percent.

Rule 22c–1 provides, in part, that redeemable securities of registered investment companies must be sold, redeemed or repurchased at a price based on the current net asset value (computed on each day during which the New York Stock Exchange is open for trading not less frequently than once daily as of the time of the close of trading on such exchange) which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security.

Applicant asserts that in view of its relatively small asset size and the limited number of transactions in its shares, the additional cost imposed by daily pricing of Applicant's shares would be an excessive financial burden.

Applicant therefore seeks an order permitting it to price shares for sale once a week at the close of business on Friday until such time as the weekly average number of subscription orders received by Applicant totals 15 or more during any consecutive 8 week period ending on a valuation date, and thereafter, Applicant will determine the net asset value in conformity with the rule.

Notice is further given that any interested person may, not later than October 3, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69–11148; Filed, Sept. 17, 1969; 8:48 a.m.]

[812–2408]

MUNICIPAL INVESTMENT TRUST FUND ET AL.

Notice of Filing of Application for Exemption

SEPTEMBER 10, 1969.

Notice is hereby given that Municipal Investment Trust Fund, Tax-Exempt Income Fund, and Michigan Tax-Exempt Bond Fund ("Applicants"), 55 Broad Street, New York, N.Y. 10004, registered under the Investment Company Act of 1940 ("Act") as unit investment trusts, have filed an application pursuant to section 6(c) of the Act for an order exempting the secondary market operations of Applicants' sponsors from the provisions of Rule 22c–1. The sponsors seek to continue the practice of valuing Applicants' units, for repurchase and resale in the secondary market, once a week on the last business day of the week, as of 3:30 p.m., effective for all transactions made during the following week. All interested persons are referred to the application on file with the Commission for a statement of Applicants' representations contained therein which are summarized below.

Applicants are composed of various series, each of which is an unmanaged fund, with a portfolio consisting of tax-exempt municipal bonds. One or more of the following firms acts as sponsor for each series: Goodbody & Co., Bache & Co., Inc.; Walston & Co., Inc.; Hornblower & Weeks—Hemphill, Noyes, and First of Michigan Corp. No additions may be made to the portfolio of bonds of any series after the date of deposit of the bonds by the sponsors and the number of units in a series may not be increased. The units are distributed by the sponsors during the initial offering period at a 4½ percent sales charge. The pricing procedures during such period comply with the requirements of Rule 22c–1.

The sponsors also maintain a secondary market in the units by repurchasing them from holders at a price based on the aggregate "asked" side evaluation of the underlying bonds ("offering side evaluation"). This value, according to the application, may exceed the redemption price ("bid side evaluation") by $15 to $20 per unit. In addition, the sponsors resell such units with a 4½ percent sales charge. Both the repurchase and resales price are based on the unit evaluation of the preceding Friday made by the independent evaluator, Standard Statistics Co.

Rule 22c–1 provides, in part, that redeemable securities of registered investment companies must be sold, redeemed, or repurchased at a price based on the current net asset value (computed on each day during which the New York Stock Exchange is open for trading not less frequently than once daily as of the time of the close of trading on such exchange) which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security.

Applicants assert that the pricing by the sponsors in the secondary market in no way affects the assets of the fund, and that the public unit holders benefit from such pricing procedure by receiving a normally higher repurchase price for their units without the cost burden of daily evaluations of the unit redemption value. In addition, the application states that the sponsors have undertaken to adopt a procedure whereby the evaluator, without a formal evaluation, will provide estimated evaluations on trading days. In the case of a repurchase, if the evaluator cannot state that the previous Friday's price is at least equal to the current bid price, the sponsors will order a full evaluation. In case of resale, if the evaluator cannot state that the previous Friday's price is no more than one-half point ($5 on a unit representing $1,000 principal amount of underlying bonds) greater than the current offering price, a full evaluation will be ordered.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from any provisions of the Act or of any rule or regulation under the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than October 2, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69–11149; Filed, Sept. 17, 1969; 8:49 a.m

[812-2564]

MUTUAL INVESTING FOUNDATION AND HERITAGE SECURITIES, INC.

Notice of Filing of Application for Exemption

SEPTEMBER 12, 1969.

Notice is hereby given that Mutual Investing Foundation ("Fund"), 246 North High Street, Columbus, Ohio 43216, a Michigan corporation registered under the Investment Company Act of 1940 ("Act") as a diversified open-end management investment company, and its investment advisor, Heritage Securities, Inc. ("Heritage"), have filed an application pursuant to section 6(c) of the Act for an order of exemption from section 15 of the Act to the extent that section 15 may prevent Heritage from serving as advisor to the Fund without the approval of the shareholders of the Fund from the time of the purchase of all the outstanding capital stock of Heritage by Nationwide Corp. ("Nationwide"), a company related to the present shareholders of Heritage, until the next regular annual meeting of the shareholders of the Fund, but not later than January 29, 1970. All interested parties are referred to the application on file with the Commission for a statement of the representations stated therein, which are summarized below.

Heritage has acted as investment advisor to the Fund under a contract, dated July 1, 1965, which was most recently approved by shareholders on January 30, 1969. The advisory agreement provides, among other things, for its automatic termination in the event of its assignment by Heritage.

"Assignment" is defined in section 2(a)(4) of the Act as including the direct or indirect transfer of a contract or of a controlling block of the assignor's voting securities by a security holder of the assignor.

Nationwide has agreed to purchase all of the outstanding stock of Heritage from the present shareholders. The outstanding shares of capital stock of Heritage are owned as follows: 24.9 percent (1,911 shares) each by Nationwide Mutual Insurance Co., Nationwide Mutual Fire Insurance Co. (collectively referred to as "Nationwide Mutual Companies") and Nationwide Life Insurance Co. ("Nationwide Life"), and 25.3 percent (1,943 shares) by Nationwide Foundation.

Nationwide has two classes of common stock outstanding, i.e., Class A and Class B. Each class of stock has one half of the total voting power. The Class A stock is held by the public and the Class B stock is owned by the Nationwide Mutual Companies. The contract of sale between Nationwide and the Nationwide Mutual Companies gives the Nationwide Mutual Companies an option to purchase 60 percent of the outstanding shares of Heritage if the number of directors of Nationwide elected by the Class B shareholders, i.e., the Nationwide Mutual Companies, and the directors of Nationwide not elected by the Class B shareholders but who are also directors of Nationwide Mutual Insurance Co., do not equal at least 50 percent of the board of directors of Nationwide, or, if Nationwide decides to sell its Heritage securities.

Nationwide and the Nationwide Mutual Companies own respectively 88 percent and 6.9 percent of the stock of Nationwide Life and the board of trustees of Nationwide Foundation, a nonprofit corporation without capital stock, is composed of directors of the Nationwide Mutual Companies and of Nationwide Life. There are other interlocking directorate relationships among these entities as well as between them and Heritage.

The transfer of all of the voting securities of Heritage to Nationwide may be deemed to be an "assignment" of a controlling block of the outstanding voting securities of Heritage within the meaning of section 2(a)(4) of the Act, in which event the existing investment advisory contract dated July 1, 1965, as amended, would be automatically terminated.

Applicants propose to execute a new investment advisory agreement, to become effective immediately upon the effectiveness of the purchase of the outstanding capital stock of Heritage by Nationwide, which will be identical in all material respects with the presently effective agreement. The Fund has undertaken to hold its next regular annual meeting of shareholders no later than January 29, 1970, and the applicants have undertaken that the new investment advisory agreement will be submitted to the shareholders for approval at such meeting. The new investment advisory agreement will also be submitted to the board of trustees of the Fund for its approval prior to the execution of the agreement.

Section 15 of the Act provides, in part, that it shall be unlawful for any person to act as investment advisor of a registered investment company except pursuant to a written contract which has been approved by a majority of the voting securities of such registered company.

Applicants submit that the requested exemption from section 15 should be granted in view of the interrelationship between the sellers and the buyer, the expenditure of time and money which the calling of a special meeting of shareholders of the Fund would entail, and the applicants' undertakings.

Section 6(c) of the Act provides, in part, that the Commission by order upon application, may conditionally or unconditionally exempt any person, security, or transaction, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than October 3, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service by affidavit (or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in the matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-11150; Filed, Sept. 17, 1969; 8:49 a.m.]

RAJAC INDUSTRIES, INC.

Order Suspending Trading

SEPTEMBER 12, 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 Rajac Industries, Inc., a New York corporation, 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 September 14, 1969, through September 23, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-11152; Filed, Sept. 17, 1969; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30; Mobile, Ala., Disaster]

MANAGER, DISASTER BRANCH OFFICE, MOBILE, ALA.

Delegations of Authority Regarding Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation

of Authority No. 30 (Rev. 2), Southeastern Area, 33 F.R. 9317 dated June 25, 1968, as amended (34 F.R. 8730 and 34 F.R. 11166) there is hereby redelegated to the Manager of Mobile, Ala., Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $30,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $35,000 for a single disaster on home loans, and (b) $100,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to $100,000.

2. To execute loan authorizations for Washington, area, and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By _____
Manager,
Disaster Branch Office

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as acting manager of the disaster branch office.

Effective date: August 25, 1969.

PAUL R. BRUNSON,
Regional Director,
Birmingham Regional Office.

[F.R. Doc. 69-11127; Filed, Sept. 17, 1969; 8:47 a.m.]

[Delegation of Authority 30-6 (Southwestern Area); Disaster 734]

MANAGER, DISASTER BRANCH OFFICE, NEW ORLEANS, LA.

Delegations of Authority Regarding Financial Assistance Functions

I. Pursuant to authority delegated to the Area Administrator, by Delegation of Authority No. 30 (Revision 12), 32 F.R. 179, as amended (32 F.R. 8113, 33 F.R. 8793, 33 F.R. 17217, 33 F.R. 19097, 34 F.R. 5134, 34 F.R. 11165, and 34 F.R. 12651) there is hereby redelegated to the Manager, Disaster Branch Office, New Orleans, La., the following authority:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $30,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $35,000 for a single disaster on home loans, and (b) $100,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; to approve disaster Guaranteed Loans up to $350,000, and to decline disaster Guaranteed Loans in any amount.

2. To execute loan authorizations for Washington, Area, and Regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By _____
Manager,
Disaster Branch Office

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as Acting Manager of the Disaster Branch Office.

Effective date: August 25, 1969.

ROBERT E. WEST,
Area Administrator, Dallas, Tex.

[F.R. Doc. 69-11129; Filed, Sept. 17, 1969; 8:47 a.m.]

[Delegation of Authority 30; Richmond Regional Office Disaster 1]

MANAGER, DISASTER BRANCH OFFICE, BUENA VISTA, VA.

Delegations of Authority Regarding Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Middle Atlantic Area, 33 F.R. 10669, dated July 26, 1968, as amended (34 F.R. 8731), there is hereby redelegated to the Manager of Buena Vista, Va., Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $30,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $30,000 for a single disaster on home loans, and (b) $30,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster Guaranteed Loans up to $100,000, and to decline them in any amount.

2. To execute loan authorizations for Washington, area and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

HILARY SANDOVAL,
Administrator.
By _____
Manager,
Disaster Branch Office.

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as acting manager of the disaster branch office.

Effective date: August 25, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[F.R. Doc. 69-11131; Filed, Sept. 17, 1969; 8:47 a.m.]

[Delegation of Authority 30; Richmond Regional Office Disaster 4]

MANAGER, DISASTER BRANCH OFFICE, LOVINGSTON, VA.

Delegations of Authority Regarding Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Middle Atlantic Area, 33 F.R. 10669, dated July 26, 1968, as amended (34 F.R. 8731), there is hereby redelegated to the Manager of Lovingston, Va., Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $30,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $30,000 for a single disaster on home loans, and (b) $30,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster Guaranteed Loans up to $100,000, and to decline them in any amount.

2. To execute loan authorizations for Washington, area and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

HILARY SANDOVAL,
Administrator.
By _____
Manager,
Disaster Branch Office.

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as acting manager of the disaster branch office.

Effective date: August 25, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[F.R. Doc. 69-11130; Filed, Sept. 17, 1969; 8:47 a.m.]

[Delegation of Authority 30; Richmond Regional Office Disaster 5]

MANAGER, DISASTER BRANCH OFFICE, RICHMOND, VA.

Delegations of Authority Regarding Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Middle Atlantic Area, 33 F.R. 10669, dated July 26, 1968, as amended (34 F.R. 8731), there is hereby redelegated to the Manager of Richmond, Va., Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $30,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $30,000 for a single disaster on home loans, and (b) $30,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster Guaranteed Loans up to $100,000, and to decline them in any amount.

2. To execute loan authorizations for Washington, area and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

HILARY SANDOVAL,
Administrator.

By ----------
Manager,
Disaster Branch Office.

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as acting manager of the disaster branch office.

Effective date: August 25, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[F.R. Doc. 69-11126; Filed, Sept. 17, 1969; 8:47 a.m.]

[Delegation of Authority 30; Richmond Regional Office Disaster 2]

MANAGER, DISASTER BRANCH OFFICE, SCOTTSVILLE, VA.

Delegations of Authority Regarding Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Middle Atlantic Area, 33 F.R. 10669, dated July 26, 1968, as amended (34 F.R. 8731), there is hereby redelegated to the Manager of Scottsville, Va., Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $30,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $30,000 for a single disaster on home loans, and (b) $30,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster Guaranteed Loans up to $100,000, and to decline them in any amount.

2. To execute loan authorizations for Washington, area and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

HILARY SANDOVAL,
Administrator.

By ----------
Manager,
Disaster Branch Office.

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as acting manager of the disaster branch office.

Effective date: August 25, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[F.R. Doc. 69-11128; Filed, Sept. 17, 1969; 8:47 a.m.]

[Delegation of Authority 30; Richmond Regional Office Disaster 3]

MANAGER, DISASTER BRANCH OFFICE, WAYNESBORO, VA.

Delegations of Authority Regarding Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Middle Atlantic Area, 33 F.R. 10669, dated July 26, 1968, as amended (34 F.R. 8731), there is hereby redelegated to the Manager of Waynesboro, Va., Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $30,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $30,000 for a single disaster on home loans, and (b) $30,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster Guaranteed Loans up to $100,000 and to decline them in any amount.

2. To execute loan authorizations for Washington, area and regional office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

HILARY SANDOVAL,
Administrator.

By ----------
Manager,
Disaster Branch Office.

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as acting manager of the disaster branch office.

Effective date: August 25, 1969.

THOMAS F. REGAN,
Regional Director, Richmond, Va.

[F.R. Doc. 69-11125; Filed, Sept. 17, 1969; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as listed.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Ashland Crafts, Inc., Ashland, Ky.; 8-8-69 to 8-7-70 (children's dresses).

Atlantic Sportswear Co., Rockland, Maine; 8-8-69 to 8-7-70; 10 learners (men's pants).

Bestform Foundations of Pennsylvania, Inc., Johnstown, Pa.; 8-3-69 to 8-2-70 (brassieres and girdles).

Blackville Manufacturing Corp., Blackville, S.C.; 8-2-69 to 8-1-70 (women's dresses and blouses).

Burlington Manufacturing Co., Concordia, Mo.; 7-31-69 to 7-30-70 (men's work pants).

Cindy Frocks, Carbondale, Pa.; 7-29-69 to 7-28-70; 5 learners (children's dresses and misses' blouses).

Clayburne Manufacturing Co., Inc., Clayton, Ga.; 8-5-69 to 8-4-70 (men's sport shirts).

Dickson Manufacturing Co., Plant No. 1, Dickson, Tenn.; 8-8-69 to 8-7-70 (men's work shirts).

Flushing Shirt Manufacturing Co., Inc., Grantsville, Md.; 8-7-69 to 8-6-70 (men's shirts).

Garan, Inc., Clinton, Ky.; 8-9-69 to 8-8-70 (boys' and men's shirts, girls' and ladies' blouses).

Gary Co., Inc., Gallatin, Tenn.; 8-6-69 to 8-5-70 (men's shirts).

Globe Manufacturing Co., Inc., Vidalia, Ga.; 8-1-69 to 7-31-70 (boys' and men's pants and ladies' slacks).

The Hercules Trouser Co., Wellston, Ohio; 7-30-69 to 7-29-70 (men's and boys' pants).

Iolani Sportswear, Ltd., Eleele, Kauai, Hawaii; 8-4-69 to 8-3-70; 10 learners (men's sport shirts).

Iva Manufacturing Co., Inc., Iva, S.C.; 7-30-69 to 7-29-70; 10 learners (women's blouses, dresses and culottes).

Jamestown Manufacturing Corp., Jamestown, Tenn.; 8-6-69 to 8-5-70 (men's and boys' pants, sport shirts and jackets).

Jester Kids Klothes, Inc., Tarpon Springs, Fla.; 8-1-69 to 7-31-70 (children's clothes).

Junior Form Lingerie Corp., Cairnbrook, Pa.; 7-30-69 to 7-29-70 (girls' sleepwear and dresses).

Kellwood Co., Calhoun City, Miss.; 8-8-69 to 8-7-70 (boys' pants).

LaSalle Cutting & Manufacturing Co., Inc., Pittston, Pa.; 7-31-69 to 7-30-70; 5 learners (women's dresses).

Linden Manufacturing Co., Inc., Womelsdorf, Pa.; 8-7-69 to 8-6-70; 10 learners (women's blouses).

Linden Manufacturing Co., Inc., Newmanstown, Pa.; 8-7-69 to 8-6-70; 10 learners (women's blouses).

Ozark Manufacturing Co., Inc., Ozark, Ala.; 7-29-69 to 7-28-70 (women's blouses).

Plantersville Sportswear, Inc., Plantersville, Miss.; 8-5-69 to 8-4-70 (men's dress slacks).

RCM Enterprises, Inc., Baconton, Ga.; 7-31-69 to 7-30-70; 10 learners (women's and girls' blouses).

Fred Ronald Manufacturing Co., Neodesha, Kans.; 8-8-69 to 8-7-70; 10 learners (boys' shirts).

Salant & Salant, Inc., Marked Tree, Ark.; 8-5-69 to 8-4-70 (children's pants).

Henry I. Siegel Co., Inc., Dickson, Tenn.; 8-1-69; to 7-31-70 (women's single pants).

Henry I. Siegel Co., Inc., Hohenwald, Tenn.; 8-3-69 to 8-2-70 (men's and boys' pants).

Sportswear Unlimited, Iva, S.C.; 7-30-69 to 7-29-70 (women's blouses and dresses).

Toby Manufacturing Co., Inc., Essex, Baltimore, Md.; 8-4-69 to 8-3-70 (men's pants).

The Van Heusen Co., Hazen, Ark.; 8-1-69 to 7-31-70 (boys' dress shirts).

Wildwood Clothing Co., Wildwood, N.J.; 8-1-69 to 7-31-70; 10 learners (ladies' sportswear, slacks, and shorts, and men's slacks and walkers).

Woodbury Manufacturing Co., Inc., Woodbury, Tenn.; 8-6-69 to 8-5-70 (men's and boys' knit shirts and women's blouses).

The following plant expansion certificates were issued authorizing the number of learners indicated.

Flushing Shirt Manufacturing Co., Inc., Grantsville, Md.; 8-7-69 to 2-6-70; 15 learners (men's shirts).

Patterson Manufacturing Co., Ash Grove, Mo.; 8-6-69 to 2-5-70; 30 learners (men's slacks and ladies' slacks).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Co-op Glove Manufacturing, Inc., Shuqualak, Miss.; 7-28-69 to 7-27-70; 10 learners for normal labor turnover purposes (work gloves).

Co-op Glove Manufacturing, Inc., Shuqualak, Miss.; 7-28-69 to 1-27-70; 40 learners for plant expansion purposes (work gloves).

Indianapolis Glove Co., Inc., Richmond, Ind.; 7-30-69 to 7-29-70; 10 learners for normal labor turnover purposes (work gloves).

Indianapolis Glove Co., Inc., Houlka, Miss.; 7-30-69 to 7-29-70; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Wells Lamont Corp., Oak Grove, La.; 8-3-69 to 8-2-70; 10 learners for normal labor turnover purposes (work gloves).

Wells Lamont Corp., Hugo, Okla.; 8-1-69 to 7-31-70; 10 percent of the total number of machine stitchers for normal labor turnturnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.40 to 522.43, as amended).

Virginia Maid Hosiery Mills, Inc., Pulaski, Va.; 8-8-69 to 8-7-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless hosiery).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.30 to 522.35, as amended).

Hazlehurst Manufacturing Co., Vidalia, Ga.; 8-8-69 to 8-7-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's lingerie).

Junior Form Lingerie Corp., Boswell, Pa.; 8-2-69 to 8-1-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's lingerie).

Russell Mills, Inc., Montgomery, Ala.; 8-6-69 to 2-5-70; 45 learners for plant expansion purposes (T-shirts).

Signal Knitting Mills, Inc., New Tazewell, Tenn.; 7-28-69 to 7-27-70; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' T-shirts).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods and the number of learners authorized to be employed, are indicated.

Adele Manufacturing Corp., Rio Grande, P.R.; 6-29-69 to 12-17-69; 10 learners for normal labor turnover purposes in the occupations of sewing machine operating and final pressing, for a learning period of 320 hours at the rate of $1.08 an hour (men's cotton shorts) (replacement certificate).

Alfredo Manufacturing Corp., Rio Grande, P.R.; 6-29-69 to 12-17-69; 14 learners for normal labor turnover purposes in the occupations of sewing machine operating and final pressing, for a learning period of 320 hours at the rate of $1.08 an hour (men's cotton pajamas) (replacement certificate).

Ana Manufacturing Corp., Barranquitas, P.R.; 7-18-69 to 7-17-70; 33 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.13 an hour (women's underwear).

Bayuk Ciales, Inc. (Stripping Division), Ciales, P.R.; 7-18-69 to 7-17-70; 10 learners for normal labor turnover purposes in the occupation of machine stripping, for a learning period of 160 hours at the rate of $1.26 an hour (tobacco).

Boqueron Manufacturing Corp., Cabo Rojo, P.R.; 6-25-69 to 6-24-70; 24 learners for normal labor turnover purposes in the occupations of: (1) Toe and panty hose sewers, for a learning period of 240 hours at the rate of $1.01 an hour; (2) preboarding and folding, for a learning period of 360 hours at the rate of $1.01 an hour; and (3) pairing and mending, each for a learning period of 720 hours at the rates of $1.01 an hour for the first 360 hours and $1.06 an hour for the remaining 360 hours (ladies' seamless hosiery and ladies' panty hose).

Central Knitting Mills, Inc., San German, P.R.; 7-12-69 to 2-20-70; 4 learners for normal labor turnover purposes in the occupation of knitters, for a learning period of 480 hours at the rates of $1.22 an hour for the first 240 hours and $1.39 an hour for the remaining 240 hours (full-fashioned knitted garments) (replacement certificate).

Finrico Inc., Cavey, P.R.; 7-12-69 to 10-27-69; 16 learners for normal labor turnover purposes in the occupations of machine stitching and pressing, for a learning period of 320 hours at the rates of $1.22 an hour for the first 160 hours and $1.39 an hour for the remaining 160 hours (sweaters) (replacement certificate).

Glamourette Fashion Mills, Inc., Quebradillas, P.R.; 7-12-69 to 4-6-70; 16 learners for normal labor turnover purposes in the occupations of: (1) Knitting, for a learning period of 480 hours at the rates of $1.22 an hour for the first 240 hours and $1.39 an hour for the remaining 240 hours; and (2) machine stitching-seaming and pressing, each for a learning period of 320 hours at the rates of $1.22 an hour for the first 160 hours and $1.39 an hour for the remaining 160 hours (sweaters, skirts, men's shirts, dresses, etc.) (replacement certificate).

Isabela Segunda Corp., Vieques, P.R.; 6-29-69 to 11-24-69; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rates of $1.08 an hour (men's and boys' shorts) (replacement certificate).

Laric Manufacturing Corp., Luquillo, P.R.; 7-10-69 to 10-6-69; 6 learners for normal labor turnover purposes in the occupation of sewing machine operating for a learning period of 320 hours at the rate of $1.29 an hour (girdles, garter belts, panty girdles, and brassieres) (replacement certificate).

Laric Manufacturing Corp., Luquillo, P.R.; 7-10-69 to 10-27-69; 10 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.29 an hour (girdles, garter belts, panty girdles, and brassieres) (replacement certificate).

La Torre Co., Inc., Aibonito, P.R.; 7-18-69 to 7-17-70; 36 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.13 an hour (ladies' underwear and shoulder straps).

Mayaguez Contracting Corp., Mayaguez, P.R.; 7-10-69 to 10-20-69; 30 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.29 an hour (brassieres) (replacement certificate).

Mesana Dyeing & Finishing, Inc., Quebradillas, P.R.; 7–12–69 to 10–20–69; 15 learners for normal labor turnover purposes in the occupations of: (1) Machine stitching, hand sewing, and pressing each for a learning period of 320 hours at the rates of $1.22 an hour for the first 160 hours and $1.39 an hour for the remaining 160 hours; and (2) kettle handlers and dyers for a learning period of 240 hours at the rate of $1.22 and hour (dyeing and finishing of sweaters, skirts, dresses and men's shirts) (replacement certificate).

Meyers & Son Manufacturing Co., of P.R. Inc., 6–29–69 to 6–8–70; 5 learners for normal labor turnover purposes in the occupation of sewing machine operating for a learning period of 320 hours at the $1.17 an hour (coveralls) (replacement certificate).

Midland Knitting Mills, Inc., San German, P.R.; 7–12–69 to 2–20–70; 5 learners for normal labor turnover purposes in the occupation of knitters, for a learning period of 480 hours at the rates of $1.22 an hour for the first 240 hours and $1.39 an hour for the remaining 240 hours (full-fashioned knitted garments) (replacement certificate).

Moca Mills, Inc., Moca, P.R.; 6–29–69 to 2–16–70; 5 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.08 an hour (men's and boys' briefs) (replacement certificate).

Northridge Knitting Mills, San German, P.R.; 7–12–69 to 2–16–70; 6 learners for normal labor turnover purposes in the occupation of knitters, for a learning period of 480 hours at the rates of $1.22 an hour for the first 240 hours and $1.39 an hour for the remaining 240 hours (full-fashioned knitted garments) (replacement certificate).

P. L. Manufacturing Co., Inc., Rio Grande, P.R.; 6–29–69 to 3–12–70; 7 learners for normal labor turnover purposes in the occupation of sewing machine operating for a learning period of 320 hours at the rate of $1.08 an hour (men's cotton shirts) (replacement certificate).

P. L. Manufacturing Co., Inc., Rio Grande, P.R.; 6–29–69 to 9–12–69; 18 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.08 an hour (men's cotton shirts) (replacement certificate).

Puritan Caribbean, Inc., Cidra, P.R.; 7–18–69 to 7–17–70; 22 learners for normal labor turnover purposes in the occupation of knitting, for a learning period of 480 hours at the rates of $1.22 an hour for the first 240 hours and $1.39 an hour for the remaining 240 hours (full-fashioned sweaters and shirts).

Puritana Manufacturing Corp., Aguas Buenas, P.R.; 7–12–69 to 11–17–69; 28 learners for normal labor turnover purposes in the occupations of machine stitching-seaming and pressing, each for a learning period of 320 hours at the rates of $1.22 an hour for the first 160 hours and $1.39 an hour for the remaining 160 hours (full-fashioned sweaters and shirts) (replacement certificate).

Randy Knitting Mills, Inc., Quebradillas, P.R.; 7–12–69 to 5–18–70; 5 learners for normal labor turnover purposes in the occupations of (1) sweater knitting for a learning period of 480 hours at the rate of $1.22 an hour for the first 240 hours and $1.39 an hour for the remaining 240 hours; and (2) machine stitching-seaming and hand sewing for a learning period of 320 hours at the rates of $1.22 an hour for the first 160 hours and $1.39 an hour for the remaining 160 hours (full-fashioned sweaters) (replacement certificate).

Randy Knitting Mills, Inc., Quebradillas, P.R.; 7–12–69 to 11–18–69; 10 learners for plant expansion purposes in the occupations of (1) Sweater knitting for a learning period of 480 hours at the rates of $1.22 an hour for the first 240 hours and $1.39 an hour for the remaining 240 hours; and (2) Machine stitching-seaming for a learning period of 320 hours at the rates of $1.22 an hour for the first 160 hours and $1.39 an hour for the remaining 160 hours (full-fashioned sweaters) (replacement certificate).

Rio Grande Manufacturing Corp., Rio Grande, P.R.; 6–29–69 to 11–16–69; 9 learners for normal labor turnover purposes in the occupations of sewing machine operating and final pressing, for a learning period of 320 hours at the rate of $1.08 an hour (men's cotton shorts) (replacement certificate).

Rio Monte Manufacturing Corp., Rio Grande, P.R.; 6–29–69 to 12–17–69; 10 learners for normal labor turnover purposes in the occupations of sewing machine operating and final pressing, for a learning period of 320 hours at the rate of $1.08 an hour (men's cotton pajamas) (replacement certificate).

Van Heusen of Puerto Rico, Aguadilla, P.R.; 6–29–69 to 2–20–70; 17 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.08 an hour (dress shirts) (replacement certificate).

Wendy Textile Mills, Inc., Quebradillas, P.R.; 7–12–69 to 3–23–70; 5 learners for normal labor turnover purposes in the occupations of: (1) Machine knitting, for a learning period of 480 hours at the rates of $1.22 an hour for the first 240 hours and $1.39 an hour for the remaining 240 hours; and (2) Machine stitching-seaming for a learning period of 320 hours at the rates of $1.22 an hour for the first 160 hours and $1.39 an hour for the remaining 160 hours (sweaters, men's shirts, dresses, etc.) (replacement certificate).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 11th day of September 1969.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 69–11124; Filed, Sept. 17, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1331]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

SEPTEMBER 12, 1969.

The following applications are governed by Special Rule 1.247 [1] of the Commission's general rules of practice (49 CFR Part 1100, 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 section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 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

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

eliminate any restrictions which are not acceptable to the Commission.

No. MC 531 (Sub-No. 256), filed August 14, 1969. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphur*, both liquid and dry, in bulk, from the plantsite of U.S. Oil of Louisiana, Ltd., Sulphur Operations, at or near Chacahoula (Lafourche Parish), La., to points in Louisiana, Alabama, Florida, Georgia, Mississippi, and Texas. NOTE: Applicant states the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 1756 (Sub-No. 17), filed August 18, 1969. Applicant: PEOPLES EXPRESS CO., a corporation, 497 Raymond Boulevard, Newark, N.J. 07105. Applicant's representatives: Bert Collins and Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass bottles* on mechanically automated trailers, from Cliffwood, N.J., to the F. & M. Schaefer Brewing Co. plant at Brooklyn, N.Y.; and (2) *empty containers*, on automated trailers, from the plantsite of National Can Corp., Danbury, Conn., to Newark, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. It further states that MC 1756 Sub 14, duplicates in part, authority sought herein to the extent of empty containers, and that said application is being withdrawn concurrently with the filing of subject application. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 2900 (Sub-No. 176), filed August 11, 1969. Applicant: RYDER TRUCK LINES, 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), serving Winslow, N.J., as an offroute point in connection with carrier's regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 2900 (Sub-No. 177), filed August 7, 1969. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: Larry D. Knox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, between points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan (Lower Peninsula), Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, Missouri, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.; Atlanta, Ga.; or Washington, D.C.

No. MC 2900 (Sub-No. 178), filed August 14, 1969. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: Larry D. Knox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, and commodities requiring the use of special equipment); (1) between junction U.S. Highway 71 and Interstate Highway 20 and junction U.S. Highway 71 and U.S. Highway 165, over U.S. Highway 71 in Louisiana; (2) between junction U.S. Highways 78 and 278 and Double Springs, Ala., over U.S. Highway 278, serving junction U.S. Highways 78 and 278 for joinder purposes only; (3) between Double Springs and Cullman, Ala., over U.S. Highway 278; (4) between junction U.S. Highway 321 and North Carolina Highway 150 and Shelby, N.C., over North Carolina Highway 150, serving the termini for joinder purposes only; (5) between junction U.S. Highway 321 and North Carolina Highway 150 and junction U.S. Highway 21 and North Carolina Highway 150, over North Carolina Highway 150, serving the termini for joinder purposes only; (6) between junction U.S. Highway 422 and Interstate Highway 90 and junction U.S. Highway 19 and Interstate Highway 90, over Interstate Highway 90 in Ohio and Pennsylvania, serving the termini for joinder purposes only; and (7) between junction U.S. Highways 321 and 301 and junction U.S. Highways 15 and 301, over U.S. Highway 301 in South Carolina, serving the termini for joinder purposes only, serving no intermediate points as alternate routes for operating convenience only in connection with applicant's authorized regular route operations in (1) through (7) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.; Atlanta, Ga.; or Washington, D.C.

No. MC 8948 (Sub-No. 87), filed July 27, 1969. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Post Office Box 15274, Los Angeles, Calif. 90058. Applicant's representative: R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduits and pipe drainage, sewer and other underground work, and connections and fittings therefor, bituminized fiber and indurated*, from Sherman, Tex., to points in California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Washington, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Los Angeles, Calif.

No. MC 23618 (Sub-No. 13), filed August 1, 1969. Applicant: McALISTER TRUCKING COMPANY, a corporation, Post Office Box 2377, Abilene, Tex. 79604. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which because of their size or weight require the use of special equipment or special handling; and (2) *ammunition and explosives*, when moving on U.S. Government bills of lading (a) and/or to, from, and between military installations and Department of Defense establishments located at points in Arizona, Arkansas, California, Colorado, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Texas, Utah, and Wyoming; and (b) between points in (a) above, on the one hand, and, on the other, 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 Washington, D.C., or Houston, Tex.

No. MC 29566 (Sub-No. 134), filed August 14, 1969. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. 66105. Applicant's representative: Vernon M. Masters (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cellulose materials and products; cellulose materials and products* joined to or combined with *paper, plastic, synthetics, or cloth; sanitary paper and paper products; sanitary paper and paper products* joined to or combined with *paper, plastics, synthetics, or cloth; materials, equipment, and supplies*, used or useful in the production, manufacture and distribution of the above described commodities; and related premium and advertising materials when shipped with the above described commodities, between the plantsite of the Charmin Paper Products Co. located at or near Neely's Landing, Mo., and points in the States of Illinois, Iowa, Nebraska, Colorado, Kansas, Oklahoma, and Arkansas. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City or St. Louis, Mo.

No. MC 29919 (Sub-No. 18), filed August 19, 1969. Applicant: KOWALSKY'S EXPRESS SERVICE, a corporation,

State Highway No. 49, Millville, N.J. 08332. Applicant's representative: Alexander Markowitz, 1619 Woodcrest Drive, Vineland, N.J. 08360. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles*, from the plantsite of the Wheaton Plastics Co. at or near Lakewood, N.J., to Suffern and Pearl River, N.Y.; points in Nassau and Suffolk Counties, N.Y.; points in Connecticut; points in Pennsylvania, Maryland, and Delaware, bounded by a line beginning at Easton, Pa., thence along U.S. Highway 22 to Allentown, Pa., thence along U.S. Highway 222 to Lancaster, Pa., thence along U.S. Highway 30 to the east bank of the Susquehanna River, thence along U.S. Highway No. 1 to Baltimore, Md., thence southeast across Chesapeake Bay to Centerville, Md., Carville, Md., and Ingleside, Md., to Delaware State line at or near Marydel, Del., thence along Delaware Highway No. 8 to Dover, Del., thence along the Delaware River to Easton, Pa., and the point of beginning, including all points on the described line; and (2) *pallets and containers*, used in the transportation of and returned shipments of the commodities specified above from points in the above described territory to Lakewood, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or New York, N.Y.

No. MC 30022 (Sub-No. 91), filed August 15, 1969. Applicant: PAUL S. CREBS, 277 Ninth Street, Northumberland, Pa. 17857. Applicant's representative: Richard V. Zug, Post Office Box 279, Springfield, Vt. 05156. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New office furniture and office furniture parts*, from Hazleton, Pa., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states it holds authority in its MC 30022 (Sub-No. 90) wherein it duplicates in part that which is sought herein. Applicant further 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 Harrisburg, Pa.

No. MC 30451 (Sub-No. 24), filed August 5, 1969. Applicant: THE LUPER TRANSPORTATION COMPANY, a corporation, 350 East 21st Street, Wichita, Kans. 67214. Applicant's representative: James F. Miller, 7501 Mission Road, Shawnee Mission, Kans. 66208. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses* as described in sections A, B, and C of appendix I to the report in *Description of Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Wichita, Kans., to Kansas City, Mo.; and (2) *such commodities* as are used by meat packers in the conduct of their business when destined to and for use by meat packers, from Kansas City, Mo., to Wichita, Kans., under contract with Dold Packing Co., Inc., and Sunflower Packing Co., Inc. NOTE: Applicant has common carrier authority in MC 123004 and pending common carrier authority in MC 123004 Sub 1, therefore dual operation may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 30837 (Sub-No. 375), filed July 31, 1969. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53141. Applicant's representative: Paul F. Sullivan, Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Motor vehicles* (except trailers) and *parts and accessories* thereof, when moving with the vehicles being transported, in initial movements, in truckaway and driveaway service, from Boyertown, Pa., to points in the United States, including Alaska (but excluding Hawaii), restricted against the transportation of vehicles which require the use of special equipment for transporting such vehicles; (2) *motor vehicles* (except trailers) and *parts and accessories* thereof, when moving with vehicles being transported, in secondary movements in truckaway service, between Boyertown, Pa., and points in the United States, including Alaska (but excluding Hawaii), restricted to the transportation of vehicles which have been manufactured or assembled at Boyertown, Pa., and which have had prior movement from Boyertown, Pa., and further restricted against the transportation of vehicles which require the use of special equipment for transporting such vehicles. 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 Philadelphia, Pa.

No. MC 30837 (Sub-No. 376), filed August 11, 1969. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53141. Applicant's representative: Paul F. Sullivan, Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Motor homes*, in initial and secondary movements, in driveaway service, from Apple Creek, Ohio, to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin; and (2) *motor homes*, in secondary movements, in driveaway service, from Goshen, Ind., Leola, Pa., and Columbia, S.C., on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30837 (Sub-No. 379), filed August 18, 1969. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53141. Applicant's representative: Paul F. Sullivan, Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Seat cabs*, from Waterloo, Iowa, to Racine, Wis. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 30844 (Sub-No. 286), filed July 28, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, packinghouse products*, as defined in section A of appendix I of the report of *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Postville, Iowa, to points in Illinois, Indiana, Michigan, Ohio, 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., or Washington, D.C.

No. MC 30844 (Sub-No. 287), filed August 4, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Croswell and Edmore, Mich., to points in Arkansas, Louisiana, and Texas. 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., or Washington, D.C.

No. MC 30844 (Sub-No. 289), filed August 14, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, in hides), from the plantsite and facilities of Swift & Co. at or near Glenwood, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 30844 (Sub-No. 291), filed August 15, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Champagne and wine* in containers, from Batavia, N.Y., to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, West Virginia, and Wisconsin, restricted to shipments originating at the plantsite or facilities of Robin Phils and CIE, Ltd. NOTE: Applicant states it intends to tack the sought authority with authority presently held wherein it transports canned goods and groceries between points in Iowa and Indiana (base certificate) and Sub-46—Chicago, Ill., to Norfolk, Omaha, and Lincoln, Nebr.; Topeka, Manhattan, Pittsburg, and Wichita, Kans.; Kansas City and Joplin, Mo.; Tulsa, Oklahoma City, and Bristow, Okla.; Denver, Colo.; and Amarillo, Lubbock, Dallas, San Antonio, Corpus Christi, San Angelo, Arlington, and Brenham, Tex. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Washington, D.C.

No. MC 31389 (Sub-No. 112), filed August 11, 1969. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, N.C. 27102. Applicant's representative: Francis W. McInerny, 1000 Sixteenth Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) between Kearny, N.J., and Akron, Ohio, from Kearny over Interstate Highway 280 to junction Interstate Highway 80, thence over Interstate Highway 80 and Interstate Highway 80 south to Akron, serving applicant's terminal at or near West Middlesex, Pa., as an intermediate or off-route point; and (2) serving the McLean Trucking Co. terminal at or near West Middlesex, Pa., in connection with applicant's regular route operations to and from Pittsburgh and New Castle, Pa., and Youngstown, Ohio. NOTE: Applicant states that the purpose of this application is to permit the institution of terminal services by the applicant at West Middlesex, Pa. (the site of a new terminal), in connection with presently authorized operations. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 32050 (Sub-No. 3), filed August 11, 1969. Applicant: J. MITCHELL TRUCKING CO., INC., 1 Scout Avenue, Kearny, N.J. 07032. Applicant's representative: Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas, plantains, pineapples, and coconuts;* and (2) *agricultural commodities* otherwise exempt from economic regulations under section 203(b)(6) of the Act when transported in mixed shipments with bananas, plantains, pineapples, and coconuts, from Wilmington, Del., to points in Connecticut, Delaware, Massachusetts, Maryland, New York, New Jersey, Pennsylvania, Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 43269 (Sub-No. 57), filed August 11, 1969. Applicant: WELLS CARGO, INC., 1775 East Fourth Street, Post Office Box 1511, Reno, Nev. 89505. Applicant's representative: Edward J. Hegarty, 100 Bush Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives*, between points in Mono County, Calif., on the one hand, and, on the other, Bishop and Big Pine, Calif. NOTE: Applicant states that it intends to tack the authority sought with its present authority in Sub 48 so as to permit a through service between points in Nevada and Bishop and Big Pine, Calif. Applicant further states that it also holds irregular route authority for the transportation of general commodities (including explosives) between all points in Nevada and between points in an extensive area of Northern California. Joinder of applicant's present authorities for the transportation of explosives and the requested authority may occur upon a grant of this instant application. Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.; San Francisco, Calif., or Reno, Nev.

No. MC 45656 (Sub-No. 13), filed August 12, 1969. Applicant: ANDERSON TRUCK LINE, INC., 531 West Harper Avenue, Post Office Drawer 191, Lenoir, N.C. 28645. Applicant's representative: Charles Ephraim, 1411 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Virginia to points in Caldwell County, N.C. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 50307 (Sub-No. 51), filed August 7, 1969. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35th Street, New York, N.Y. 10001. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies, and equipment* used in the manufacture thereof, between points in the New York, N.Y., commercial zone, New Jersey, and Pennsylvania on the one hand, and, on the other, Wheeling, W. Va. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 51146 (Sub-No. 146), filed August 11, 1969. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: D. F. Martin (same address as above), and Charles Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings*, complete, knocked down or in sections; (2) *materials, equipment, supplies, and accessories* for buildings; (3) *wood products;* (4) *composition wood products;* (5) *laminated products;* and (6) *parts and accessories* for the products in (3), (4), and (5) above; (a) from Waunakee and Madison, Wis., to points in the United States, except Alaska and Hawaii; (b) *returned shipments, and materials, equipment and supplies* used in the manufacture and distribution of the products authorized in (1), (2), (3), (4), (5), and (6) above, from the above described destination points to Waunakee and Madison, Wis. NOTE: Applicant states it could tack with various subs of its authority in MC 51146 and will tack with its MC 51146 where feasible. Applicant does not identify the points or territories which can be served through such tacking, therefore persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59264 (Sub-No. 47), filed July 28, 1969. Applicant: SMITH & SOLOMON TRUCKING COMPANY, a corporation, How Lane, New Brunswick, N.J. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives, ammunition not classified as classes A, B, or C explosives, poisons, and tear gas ingredients* from the plantsite of the Brunswick Corp., Technical Products Division, located at or near Sugar Grove, Va., to Dover Air Force Base, Del., Sunny Point Army Terminal, at or near South Port, N.C.; and Wolf Lake, Ill., restricted to shipments originating at the name plantsite. NOTE: Applicant states that it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 60157 (Sub-No. 12), filed August 14, 1969. Applicant: C. A. WHITE TRUCKING COMPANY, a corporation, 4641 Greenville Avenue, Dallas, Tex. 75206. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and/or tubing*, other than oilfield pipe (as described in Mercer Extension—Oil Field Commodities, 74 M.C.C. 459), between points in Cooke County, Tex., on the one hand, and, on the other, points in Arkansas, Louisiana, Missouri, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that it seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., or Oklahoma City, Okla.

No. MC 60157 (Sub-No. 13), filed August 21, 1969. Applicant: C. A. WHITE TRUCKING COMPANY, 4641 Greenville Avenue, Dallas, Tex. 75206. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, which because of their size or weight require the use of special equipment or special handling; and (2) *ammunition and explosives*, when moving on U.S. Government bills of lading and/or to, from, and between military installations and Department of Defense establishments, between points in the States of Arkansas, Colorado, Illinois, Kansas, Louisiana, Missouri, Montana, New Mexico, Oklahoma, Texas, Utah, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC 61403 (Sub-No. 198), filed August 19, 1969. Applicant: THE MASON AND DIXON LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representatives: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006, and Charles E. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, from the plantsite of the Monsanto Company located in Brazoria County, Tex., approximately 12 miles south of Alvin, Tex., to points in the United States (except points in Alaska, Hawaii, Oregon, Texas, and Washington). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61403 (Sub-No. 199), filed August 25, 1969. Applicant: THE MASON AND DIXON LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representatives: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006, and J. M. Shackleford (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ethylene glycol and diethylene glycol, monoethanolamine, diethanolamine, and triethanolamine*, in bulk, in tank vehicles, from Orange, Tex., to points in Alabama, California, Colorado, Georgia, Illinois, Kansas, Kentucky, Missouri, Nebraska, North Carolina, South Carolina, Tennessee (except Kingsport), Virginia, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 73688 (Sub-No. 36), filed August 15, 1969. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Avenue, Memphis, Tenn. 38107. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic or iron fittings, and connections, valves, and gaskets*, between the plantsite and warehouse facilities of Razorback Plastic Products, Inc., Fort Smith, Ark., on the one hand, and, on the other, points in Kentucky, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, and Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Memphis, Tenn.

No. MC 82841 (Sub-No. 60), filed August 19, 1969. Applicant: HUNT TRANSPORTATION, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Donold 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: *Iron and steel and iron and steel articles*, from points in Putnam County, Ill., to points in Colorado, Idaho, Montana, Oregon, Utah, Washington, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Pittsburgh, Pa.

No. MC 83835 (Sub-No. 59), filed August 14, 1969. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and/or tubing*, other than oilfield pipe (as described in *Mercer Extension—Oilfield commodities*, 74 M.C.C. 459), between points in Cooke County, Tex., on the one hand, and, on the other, points in Arkansas, Louisiana, Missouri, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that it seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., or Oklahoma City, Okla.

No. MC 83835 (Sub-No. 60), filed August 18, 1969. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooling towers* and/or *fluid coolers, parts thereof and materials and supplies* used or useful in the construction and/or installation of the above described articles, from points in Johnson County, Kans., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Ohio, Oklahoma, Pennsylvania, Texas, Utah, West Virginia, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 89523 (Sub-No. 16), filed July 28, 1969. Applicant: MID-STATES TRUCKING CO., a corporation, 2517 North Grand, Enid, Okla. 73701. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass beverage containers*, from Waxahachie and Palestine, Tex., to Golden, Colo., under contract with Adolph Coors Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver or Golden, Colo.

No. MC 93980 (Sub-No. 48), filed August 12, 1969. Applicant: VANCE TRUCKING COMPANY, INC., Raleigh Road, Henderson, N.C. 27536. 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: *Wooden fences*, including wooden gates, and wooden fence materials, from points in Gates County, N.C., to points in Connecticut, Massachusetts, and Rhode Island. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Raleigh, N.C.

No. MC 94227 (Sub-No. 8), filed August 14, 1969. Applicant: BALLEW TRUCKING COMPANY, INC., Post Office Box 715, Gainesville, Tex. 76240. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and/or tubing*, other than oilfield pipe (as described in Mercer Extension—Oil Field Commodities, 74 M.C.C. 459), between points in Cooke County, Tex., on the one hand, and, on the other, points in Arkansas, Louisiana, Missouri, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that it seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., or Oklahoma City, Okla.

No. MC 94350 (Sub-No. 227), filed August 6, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings* in sections, mounted on wheeled undercarriages with a hitch ball connector, in initial movements; and (2) *trailers* designed to be drawn by passenger automobiles, in initial movements, from the plantsite of Americana Homes in Maxton, N.C., to points east of the Mississippi River, including Louisiana and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 94350 (Sub-No. 229), filed August 19, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, and *portable buildings*, complete or in sections, from points in Lexington County, S.C., to points in States east of the Mississippi River, including Minnesota and Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 94350 (Sub-No. 231), filed August 18, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr., Post Office Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles in initial movement*, from points in Perry County, Ark., to points in the United States (excluding Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 95540 (Sub-No. 763), filed August 26, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*; (1) from Houston, Tex., to points in New York, New Jersey, and Pennsylvania; and (2) from Keokuk, Iowa, to Houston, Tex. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or Washington, D.C.

No. MC 95540 (Sub-No. 764), filed August 26, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in California, to points in Iowa, Kansas, Minnesota, Nebraska, North Dakota, and South Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

No. MC 102295 (Sub-No. 17), filed August 13, 1969. Applicant: GUY HEAVENER, INC., Harleysville, Pa. 19438. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and stone*, from points in Berks County, Pa., to points in Connecticut, Delaware, Maryland, New Jersey, New York, Ohio, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 102567 (Sub-No. 132), filed June 30, 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 Saving Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and acid sludge*, in bulk, in tank vehicles, between Natchez, Miss., on the one hand, and, on the other, points in East Baton Rouge, Iberville, Ascension, and St. James Parishes, La. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La.

No. MC 102567 (Sub-No. 133), filed July 10, 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: *Chemicals*, in bulk, from Garyville, La., to points in Louisiana, Texas, Oklahoma, Arkansas, Mississippi, Alabama, Georgia, Florida, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 102616 (Sub-No. 840), filed August 18, 1969. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, Ohio 44306. 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: *Dry calcium chloride*, in bulk, from Ludington, Mich., to points in Illinois and Indiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 102982 (Sub-No. 19), filed August 21, 1969. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Akron, Ohio 44312. Applicant's representatives: John P. McMahon and A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay and refractory materials and products and materials and supplies* used in the installation thereof (except commodities in bulk), from Carol Stream and Streator, Ill., to points in Connecticut, the District of Columbia, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, and Wisconsin, under contract with Clow Corp. NOTE: Applicant presently holds common carrier authority under its MC 125533 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103051 (Sub-No. 232), filed August 22, 1969. Applicant: FLEET

TRANSPORT COMPANY, INC., 1000 44th Avenue North, Post Office Box 7645, Nashville, Tenn. 37209. Applicant's representative: R. J. Reynolds, Jr., 604–09 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium silicate, potassium silicate, ammonium sulfide, sodium sulfhydrate, and orthodicholorobenzene*, in bulk, from Cartersville, Ga., to points in North Carolina, South Carolina, Tennessee, and that part of Alabama on and north of U.S. Highway 278. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 103654 (Sub-No. 145), filed August 20, 1969. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite clay*, from Burnett, Minn., to the ports of entry on the international boundary line between the United States and Canada, at or near International Falls, Noyes, and Pigeon River, Minn. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Kans.

No. MC 103993 (Sub-No. 451), filed August 18, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air cushion vehicles* with and without trailers, from points in Riverside County, Calif., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 104896 (Sub-No. 34), filed August 13, 1969. Applicant: WOMELDORF, INC., Post Office Box 232, Lewiston, Pa. 17044. Applicant's representative: David A. Sutherland, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, prepared, or preserved; *cooking or edible oils; matches, oleomargarine, shortening, cleaning kits, and cleaning compounds*, except commodities in bulk and frozen foodstuffs, from the facilities of Hunt-Wesson Foods, Inc., at Camp Hill, Pa., to points in Delaware, Maryland, Pennsylvania, Virginia, those parts of New York and New Jersey outside the New York, N.Y., commercial zone, as defined by the Commission, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106775 (Sub-No. 25), filed August 14, 1969. Applicant: ATLAS TRUCK LINE, INC., Post Office Box 9848, Houston, Tex. 77015. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and/or tubing*, other than oilfield pipe (as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), between points in Cooke County, Tex., on the one hand, and, on the other, points in Arkansas, Louisiana, Missouri, Oklahoma, and Texas. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex., or Oklahoma City, Okla.

No. MC 107295 (Sub-No. 213), filed August 18, 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: *Plywood and wood panels*, from Jamaica, Long Island, N.Y., to points in the United States (except Oregon, Washington, California, Arizona, Utah, Idaho, Nevada, Alaska, and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 107456 (Sub-No. 16), filed August 18, 1969. Applicant: HARRY L. YOUNG & SONS, INC., 542 West 600 South, Salt Lake City, Utah 84104. Applicant's representative: Keith E. Taylor, 520 Kearns Building, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which because of size or weight require special handling or the use of special equipment, and *classes A and B explosives*, between points in the United States (except Hawaii), restricted to traffic moving to or from military or Department of Defense establishments. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah; Washington, D.C.; Boise, Idaho; Denver, Colo.; or San Francisco, Calif.

No. MC 107496 (Sub-No. 735), filed June 11, 1969. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paint and paint ingredients*, in bulk, from Fort Wayne, Ind., to Minneapolis, Minn.; (2) *trailers* having a subsequent movement by rail, from Fort Madison, Iowa, to Keokuk and Burlington, Iowa; (3) *silica sand*, in bulk, from Clayton, Iowa, to points in Wisconsin, Illinois, Minnesota, and Iowa; and (4) *ink*, in bulk, from Chicago, Ill., to Detroit, Mich. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or St. Paul, Minn.

No. MC 107496 (Sub-No. 745), filed August 18, 1969. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: Henry L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *petroleum products*, in bulk, from Cushing and Cleveland, Okla., to Iowa and Nebraska; (2) *packinghouse products*, in bulk, from Council Bluffs, Iowa, to Missouri, Kansas, Nebraska, South Dakota, Minnesota, and Illinois; (3) *sulphuric acid*, in bulk, from Fort Madison, Iowa, to points in Illinois, Missouri, Kansas, Minnesota, and Nebraska; and (4) *liquid feed*, in bulk, from Sioux City, Iowa, to points in Nebraska, South Dakota, and Minnesota. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 107515 (Sub-No. 675), filed August 15, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road SE., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: (1) *Frozen foods*, from Rocky Mount, N.C., to points in Virginia, West Virginia, Pennsylvania, Ohio, New York, Connecticut, Massachusetts, Maryland, New Jersey, Delaware, and the District of Columbia; and (2) *pizza, salads, and sandwich spreads*, from Greensboro, N.C., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Atlanta, Ga.

No. MC 108053 (Sub-No. 89) (Amendment), filed August 1, 1969, published in the FEDERAL REGISTER issue of August 21, 1969, and republished as amended this issue. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. 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: (1) *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, in tank vehicles; and *foodstuffs* (except meats and packinghouse products as described above), when moving in the same vehicle at the same time with meats and packinghouse products, from Austin, Minn., Fremont, Nebr., and Fort Dodge, Iowa, to points in Arizona, California, Nevada, Oregon, Utah, and Washington, and (2) *meats, meat products and meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Mitchell and Huron, S. Dak.; and Scottsbluff, Nebr.; to points in California, Arizona, Nevada, Oregon, Utah, and Washington. The authority sought in (1) and (2) above is to be restricted to traffic originating at the plantsite and/or warehouse facilities of the I–D Packing Co., Des Moines, Iowa; Rod Barnes Packing Co., Huron, S. Dak.; Scottsbluff Packing Co., Scottsbluff, Nebr.; and Geo. A. Hormel & Co., at all other named origins. Traffic is also restricted to traffic destined to the named States. NOTE: The purpose of the republication is to reflect Nevada as a destination State in (1) and (2) above, and delete Des Moines, Iowa, as a point of origin in (2) above. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108382 (Sub-No. 12, filed August 6, 1969. Applicant: SHORT FREIGHT LINES, INC., 459 South River Road, Bay City, Mich. 48706. Applicant's representative: Archie C. Fraser, 1018 Michigan National Tower, Lansing, Mich. 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C., 467, commodities in bulk, and those requiring special equipment, and injurious or contaminating to other lading), (1) between Grand Rapids and Bay City, Mich., from Grand Rapids over Interstate Highway 96 to Lansing, Mich., thence over Michigan Highway 78 to junction Michigan Highway 13, thence over Michigan Highway 13 to Bay City, and return over the same route, serving Lansing, Mich., as an intermediate point, restricted against local business between Grand Rapids, Lansing, and Bay City, Mich.; (2) between Grand Rapids and Flint, Mich., over Michigan Highway 21 as an alternate route for operating convenience only, in connection with authorized regular route authority, serving no intermediate points; (3) between Grand Rapids and Cheboygan, Mich., from Grand Rapids over U.S. Highway 131 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction Michigan Highway 68, thence over U.S. Highway 68 to junction Michigan Highway 27, thence over Michigan Highway 27 to Cheboygan as an alternate route for operating convenience only, in connection with carrier's authorized regular route authority, serving no intermediate points;

(4) Between Kalkaska and Grayling, Mich., over Michigan Highway 72 as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points; (5) between junction U.S. Highway 131 and Michigan Highway 32 and Gaylord, Mich., over U.S. Highway 32 as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points; (6) between St. Johns and Clare, Mich., over U.S. Highway 27 as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points; (7) between junction Michigan Highway 76 and Michigan Highway 13 and Flint, Mich., over Michigan Highway 78 as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points; (8) between junction U.S. Highway 131 and Michigan Highway 57 and junction Michigan Highway 57 and Michigan Highway 13 over Michigan Highway 57 as an alternate route for operating convenience only, in connection with carrier's authorized route operations, serving no intermediate points; (9) between Reed City, Mich., and junction Michigan Highway 10 and U.S. Highway 27 over Michigan Highway 10, as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points; (10) between junction U.S. Highway 27 and Michigan Highway 61 and West Branch, Mich., over Michigan Highway 61 to junction Michigan Highway 30, thence over Michigan Highway 30 to West Branch, as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points; and (11) between Lansing, Mich., and St. Johns, Mich., over U.S. Highway 27, as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cheboygan, Gaylord, Bay City, or Lansing, Mich.

No. MC 109449 (Sub-No. 14), filed August 25, 1969. Applicant: KUJAK BROS. TRANSFER, INC., 352 Junction Street, Winona, Minn. 55987. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Milwaukee, Wis., to Tracy, Minn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 109891 (Sub-No. 13), filed August 11, 1969. Applicant: INFINGER TRANSPORTATION COMPANY, INC., Post Office Box 7398, Charleston Heights, S.C. 29405. Applicant's representative: William Addams, Suite 527, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk and in containers, from Charleston, S.C., to points in Alabama, Kentucky, and Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 927) filed August 25, 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, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid latex*, from Washington, W. Va., to Gary, Ind., and Ottawa, Ill. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111812 (Sub-No. 388), filed August 4, 1969. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East 8th Street, Post Office Box 1233, Sioux

Falls, S. Dak. 57101. Applicant's representative: R. H. Jinks (same address as applicant), and Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as defined in sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and hides), from Salmon, Idaho, and the commercial zone thereof, to points in North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, Maryland, Delaware, District of Columbia, New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and Maine. 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 Boise, Idaho, or Omaha, Nebr.

No. MC 111941 (Sub-No. 19), filed August 11, 1969. Applicant: PIERCETON TRUCKING COMPANY, INC., Post Office Box 233, Laketon, Ind. 46943. Applicant's representative: Alki E. Scopelitis, 816 Merchant Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prefabricated steel and materials, equipment and supplies* used in the installation and erection of prefabricated steel when moving at the same time and in the same vehicle with prefabricated steel, from Muncie, Ind., to points in Kentucky, Ohio, Illinois, Michigan, and Wisconsin; and (2) *materials, equipment, and supplies* used in the manufacture, production and processing of prefabricated steel, from points in item (1) above to Muncie, Ind. 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, applican requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 113388 (Sub-No. 93), filed August 11, 1969. Applicant: LESTER C. NEWTON TRUCKING CO., a corporation, Post Office Box 248, Bridgeville, Del. 19933. Applicant's representative: Charles Ephraim, 1411 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, plantains, coconuts, and agricultural commodities* otherwise exempt from economic regulations under section 203(b)(6) of the Act when transported in mixed shipments with bananas, plantains, pineapples, and coconuts, from Wilmington, Del., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, and Florida. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113627 (Sub-No. 7), filed August 21, 1969. Applicant: BARNETT MOTOR TRANSPORTATION, INC., 195 Sackett Point Road, North Haven, Conn. 06473. Applicant's representative: John E. Fay, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel beams*, from Wethersfield, Conn., to points in New York, New Jersey, Connecticut, Pennsylvania, Massachusetts, Vermont, Rhode Island, and New Hampshire, under contract with City Iron Works, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or New York, N.Y.

No. MC 113678 (Sub-No. 363), filed August 21, 1969. Applicant: CURTIS, INC., Post Office Box 16004 Stockyards Station, Denver, Colo. 80216. Applicant's representative: Duane W. Acklie and Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C, of Appendix I to the report in Descriptions in Motor Carrier Certificates and *frozen foods*, from points in Kansas, to points in Indiana, Ohio, Michigan, Illinois, Wisconsin, Missouri, Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, New Hampshire, Rhode Island, Vermont, Maine, Virginia, West Virginia, Kentucky, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114084 (Sub-No. 13), filed August 8, 1969. Applicant: S. AND S. TRUCKING COMPANY, 118 South Oakland Avenue, Statesville, N.C. 28677. Applicant's representative: Francis J. Ortman, 1700 Pennsylvania Avenue, NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Buncombe, Burke, Cleveland, Haywood, Lincoln, and Wilkes Counties, N.C., to points in Maine, New Hampshire, and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C., or Washington, D.C.

No. MC 115162 (Sub-No. 184), filed August 22, 1969. Applicant: POOLE TRUCK LINE, INC., Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood hardboard, particleboard, and panels*, decorative or not decorative, between points in Bergen County, N.J., on the one hand, and, on the other, 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 County and Koochiching Counties, Minn., to the international boundary line between the United States and Canada. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 115331 (Sub-No. 274), filed August 21, 1969. Applicant: TRUCK TRANSPORT INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131. Applicant's representatives: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201 and Thomas F. Kilroy, 405–S Crystal Plaza, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, originating at the plantsite and facilities of the Mississippi Lime Co. at Ste. Genevieve and Mosher, Mo., and destined to points in Arkansas, Illinois (except Madison County), Kentucky, and Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo. or Washington, D.C.

No. MC 115592 (Sub-No. 2), filed August 21, 1969. Applicant: VERNON JENNIGES, doing business as JENNIGES TRANSFER, Springfield, Minn. 56087. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from Springfield, Minn., to points in the Upper Peninsula of Michigan. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 115771 (Sub-No. 10), filed August 13, 1969. Applicant: PENBROOK HAULING COMPANY, INC., Post Office Box 4213, Harrisburg, Pa. 17111. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Prestressed, precast, and reinforced concrete and concrete products, towers, poles, structures, and other items consisting entirely or at least partly of*

precast, prestressed or reinforced concrete; and (B) *fastenings, jugs, tools, equipment, material, and supplies* used in the jobsite construction or erection of items in (A) above, between points east of the States of Minnesota, Iowa, Missouri, Arkansas, and Louisiana, restricted to traffic moving to the actual jobsite or temporary storage areas. NOTE: Applicant indicates tacking the proposed authority with presently held authority under MC 115771 and Subs thereunder. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 115826 (Sub-No. 196), filed August 13, 1969. Applicant: W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088 T.A., Denver, Colo. 80217. Applicant's representative: James F. Digby (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* as described in sections A and C, appendix I of *Description in Motor Carrier Certificates* 61 M.C.C. 766 and 209, from the plantsite and cold storage facilities utilized by Wilson & Co., Inc., at or near Hereford, Tex., to points in Alabama, Georgia, North Carolina, South Carolina, Tennessee (except Memphis), and Virginia, restricted to the transportation of traffic originating at the above-specified plantsite and/or cold storage facility and destined to the above-specified destination points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 115841 (Sub-No. 358), filed August 11, 1969. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representatives: C. E. Wesley (same address as applicant), and E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), between points in Montgomery, Robertson, Cheatham, Davidson, Wilson, Rutherson, and Franklin Counties, Tenn. NOTE: Applicant states it intends to tack the sought authority at Nashville, Tenn., to render service generally to the southeast under various grants of authority presently held by applicant which contain Nashville as an origin point. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 116077 (Sub-No. 274), filed August 21, 1969. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, Houston, Tex. 77001. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum oils and greases*, in bulk, from Jefferson County, Tex., to points in Pennsylvania, Ohio, Michigan, Illinois, Indiana, North Carolina, Missouri, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or Washington, D.C.

No. MC 116544 (Sub-No. 112), filed August 25, 1969. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Street, Post Office Box 636, Carthage, Mo. 64936. Applicant's representative: Robert Wilson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Description in Motor Carriers Certificates* 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from the plantsite and/or storage facilities utilized by Thies Packing Co., Inc., Great Bend, Kans., to points in Florida, Georgia, Alabama, North Carolina, South Carolina, and Tennessee (except Memphis). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Wichita, Kans.

No. MC 117322 (Sub-No. 4), filed August 14, 1969. Applicant: LESTER NOVOTNY, doing business as CHATFIELD TRUCKING, Chatfield, Minn. 55923. Applicant's representatives: Clay R. Moore and Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Butter*, from points in Dodge, Steele, Freeborn, Nicollet, and Sibley Counties, Minn.; Brookings, Hamlin, Hutchinson, Kingsbury, and Lake Counties, S. Dak., to Deerfield, Ill. 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. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 117568 (Sub-No. 3), filed August 14, 1969. Applicant: KEMPT TRUCK LINES, INC., West 20th Street Road, Post Office Box 1047, Joplin, Mo. 64801. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo. 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ingredient commodities* used by the food, drug, and agricultural industries, (a) from the plantsites of Hoffman-Taff, Inc., and Hoffman Laboratories, Inc., at Springfield and Verona, Mo., and from the plantsite of Syntha Laboratories, Inc., at West Alexandria, Ohio, to points in the United States east of the western boundaries of North Dakota, South Dakota, Nebraska, Colorado, Oklahoma, and Texas; and (b) from the warehouses of Hoffman-Taff, Inc., located at Dallas, Tex.; Rozell, N.J.; Des Moines, Iowa; Minneapolis, Minn.; Gainesville, Ga.; Chattanooga, Tenn.; and Effingham, Ill., to points in the United States east of the western boundaries of North Dakota, South Dakota, Nebraska, Colorado, Oklahoma, and Texas; and (2) *packaging supplies, equipment, raw materials and ingredients* used in the manufacture of the commodities above-described in (1), from points in the United States east of the western boundaries of North Dakota, South Dakota, Nebraska, Colorado, Oklahoma, and Texas, to the plantsites and warehouse locations described in paragraphs (a) and (b) above, restricted against the transportation of commodities in bulk in tank vehicles; under contract with Hoffman-Taff, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117940 (Sub-No. 5), filed August 18, 1969. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foodstuffs*, from the plantsite and warehouse facilities of the Pillsbury Co., at or near Denison, Tex., to points in Colorado, Nebraska, Kansas, Missouri, Oklahoma, and South Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118159 (Sub-No. 73), filed August 7, 1969. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* as described in section B of Appendix I to the report in Description of Motor Carrier Certificates, 61 M.C.C. 209 and 766, from Belleville, Wis., to points in Louisiana and Mississippi. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Dallas, Tex., or Washington, D.C.

No. MC 118159 (Sub-No. 75), filed August 25, 1969. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. 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 *Descriptions of Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lubbock, Tex., to points in Oklahoma, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is

deemed necessary, applicant requests it be held at Oklahoma City, Okla.; Dallas, Tex.; or Washington, D.C.

No. MC 118180 (Sub-No. 7), filed August 28, 1969. Applicant: GOVAN EXPRESS, INC., Post Office Box 1545, Fort Worth, Tex. 76101. Applicant's representative: Christopher G. Ware (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, from the plantsite and storage facilities used by National Beef Packing Co. at or near Liberal, Kans., to points in Oklahoma and Texas restricted to traffic originating at the plantsite and warehouse facilities of National Beef Packing Co. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans., or Dallas, Tex.

No. MC 118282 (Sub-No. 26), filed August 15, 1969. Applicant: JOHNNY BROWN'S, INC., 6801 Northwest 74th Avenue, Miami, Fla. 33166. Applicant's representatives: Archie B. Culbreth and Guy H. Postell, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles*, from the plantsite of Carcon, Inc., at Miami, Fla., to points in Brownsville, Tex. NOTE: Applicant presently holds contract carrier authority under its MC 125811 and subs thereunder, therefore dual operations are involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 118739 (Sub-No. 5), filed August 18, 1969. Applicant: VERNON FRITZ, doing business as FRITZ TRUCKING SERVICE, Clara City, Minn. 56222. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise* as is dealt in by wholesale and retail dry goods and variety store business houses, from Clara City, Minn., to points in Illinois, Colorado, and Utah; and (2) *returned shipments of such merchandise*, from points in Illinois, Colorado, and Utah, to Clara City, Minn., under contract with Variety Supply Co., of Clara City, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119443 (Sub-No. 23), filed August 15, 1969. Applicant: P. E. KRAMME, INC., Monroeville, N.J. Applicant's representative: V. Baker Smith, 123 South Broad Street, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chocolate, chocolate coatings, chocolate liquor, chocolate products, cocoa butter, and confectioner's coatings*, in bulk, in tank vehicles, from Lititz and Elizabethtown, Pa., to points in Iowa, Michigan, Minnesota, Missouri, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 119543 (Sub-No. 7), filed August 25, 1969. Applicant: HENRY N. LANCIANI, Leominster Road, Sterling, Mass. 01564. Applicant's representative: Arthur A. Wentzell, Post Office Box 720, Worcester, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump vehicle, from Upton, Mass., to points in Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boston or Worcester, Mass.

No. MC 119627 (Sub-No. 2), filed August 22, 1969. Applicant: CENTRAL STATES EXPRESS, INC., 820 Dalby Street, Post Office Box 147, Ankeny, Iowa 50021. 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: *Tractors* (except those with vehicle beds, bed frames, and fifth wheels), *equipment* designed for use in conjunction with tractors, *agricultural, industrial, and construction machinery, and equipment, trailers* designed for the transportation of the above-described commodities (except those trailers designed to be drawn by passenger automobiles), *attachments* for the above-described commodities, *internal combustion engines, and parts* of the above-described commodities when moving in mixed loads with such commodities, from the plant and warehouse sites and experimental farms of Deere & Co., located in Polk and Wapello Counties, Iowa, to points in Indiana, Kentucky, Michigan, Ohio, Pennsylvania, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 119908 (Sub-No. 4), filed July 10, 1969. Applicant: WESTERN LINES, INC., 3523 North McCarty, Houston, Tex. 77029. Applicant's representative: William P. Jackson, Jr., 1819 H Street NW., Federal Bar Building West, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Louisiana to points in Alabama, Arkansas, Georgia, Mississippi, Missouri, and Tennessee. NOTE: Applicant presently holds contract carrier authority under MC 110814 and subs, therefore dual operations may be involved. Applicant further states it could tack at points in Texas and New Mexico with present authority. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at New Orleans or Baton Rouge, La.

No. MC 123064 (Sub-No. 5), filed August 19, 1969. Applicant: RALPH WALKER, Post Office Box 3222, Jackson, Miss. 39207. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22628, Jackson, Miss. 39201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured fertilizer*, dry, in bulk or in containers; (1) from the plantsite of United States Steel Corp., Covington, La., to points in Mississippi; and (2) from the plantsite of United States Steel Corp., Memphis, Tenn., to Flora, Miss., under a continuing contract, or contracts, with United States Steel Corp., USS Agri-Chemicals Division. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Jackson, Miss.

No. MC 123681 (Sub-No. 16), filed August 14, 1969. Applicant: WIDING TRANSPORTATION, INC., Post Office Box 03159, Portland, Oreg. 97203. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue., Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods), but including *classes A and B explosives and commodities* which require the use of special equipment or special handling by reason of size or weight; (a) between military installations or Defense Department establishments in the United States, on the one hand, and, on the other, points in Washington, Oregon, and Idaho; and (b) between points in (a) above, on the one hand, and on the other, points in the United States. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 123821 (Sub-No. 9), filed August 4, 1969. Applicant: LESTER R. SUMMERS, INC., Rural Delivery No. 1, Post Office Box 239, Ephrate, Pa. 17522. Applicant's representative: John M. Musselman, 400 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cinder, slag and concrete products* (except such commodities in bulk), from points in Lancaster County, Pa., to points in Virginia and West Virginia; (2) *clay products* combined with concrete products (except such commodities in bulk), from points in Lancaster County, Pa., to points in Delaware, Maryland, New Jersey, New York, Virginia, West Virginia, and the District of Columbia; and (3) *silos and silo parts, and materials and supplies* used in the erection thereof, from points in Lancaster County, Pa., to points in Deleware, Maryland, New Jersey, New York, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that

it does not intend to tack, and is apparently willing to accept a restriction against tacking if warranted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124211 (Sub-No. 134), filed August 1, 1969. Applicant: HILT TRUCK LINE, INC., 1415 South 35th Street, Post Office Drawer H, Council Bluffs, Iowa 51501. Applicant's representative: Thomas Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cellular and cellulose materials and products, pallets, and materials and products* joined to or combined with the aforementioned commodities, and *related advertising matter and premiums;* and (2) *chemicals, drugs, medicines, health and beauty aids, and accessories and supplies* incidental to and used with the aforementioned commodities, from points in Lancaster County, Nebr., to points in the United States, except Hawaii; and (3) *commodities* used in the manufacture, production, distribution, and sale of commodities described in (1) and (2) above, from points in the United States, except Hawaii, to points in Lancaster County, Nebr. Restriction: The authority sought herein to the extent it duplicates any authority heretofore granted to or now held by carrier shall not be construed as conferring more than one operating right, severable by sale or otherwise. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Washington, D.C.

No. MC 124359 (Sub-No. 11), filed August 22, 1969. Applicant: WIL-HELEN, INC., 1409 16th Avenue, Greeley, Colo. 80631. Applicant's representative: Paul F. Sullivan, 701 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpeting and materials and supplies used in the installation thereof*, from Greenville, S.C., and Newnan and Calhoun, Ga., to points in Colorado and Cheyenne, Wyo., under continuing contract with Wholesale Flooring, Inc., and Wholesale Carpets, Inc. NOTE: Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 124796 (Sub-No. 51), filed August 13, 1969. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sodium hydroxide* (except commodities in bulk), from Houston, Tex., to points in Louisiana, Mississippi, and points in Arkansas on and south of U.S. Highway 40, and *rejected, refused, or outdated shipments*, on return, under a continuing contract or contracts with the Clorox Co. of Oakland, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or San Francisco, Calif.

No. MC 124920 (Sub-No. 9), filed August 14, 1969. Applicant: LABAR'S, INC., 310 Breck Street, Scranton, Pa. 18505. Applicant's representative: L. Agnew Myers, Jr., Suite 1122 Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture parts*, wooden; used in the manufacture of household furniture; partially or semi-finished; in the rough, or white, from Benton, Pa., to points in Florida. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 125035 (Sub-No. 19), filed August 8, 1969. Applicant: RAY E. BROWN TRUCKING, INC., 1132 55th Street NE., Canton, Ohio 44721. Applicant's representative: Fred H. Zollinger, 800 Cleve-Tusc Building, Canton, Ohio 44702. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream, ice cream confections, ice confection and ice water confections*, from Wheeling, W. Va., to Detroit, Mich. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., Cleveland, Ohio, Washington, D.C., or Columbus, Ohio.

No. MC 125416 (Sub-No. 2), filed August 21, 1969. Applicant: FLORA SERVICE, INC., 847 Flora Street, Elizabeth, N.J. 07201. 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: *Wrecked, disabled, stolen, and repossessed* motor vehicles, by use of wrecker equipment only, between points in Ohio and Virginia, on the one hand, and, on the other, points in New Jersey. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 125474 (Sub-No. 22), filed August 13, 1969. Applicant: BULK HAULERS, INC., 1901 Wooster Street, Wilmington, N.C. 28401. Applicant's representative: John C. Bradley, 618 Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, from Acme, N.C., to points in South Carolina, and Georgia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Washington, D.C.

No. MC 125708 (Sub-No. 117), filed June 30, 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: *Fruit juice and vinegar*, from Alton and Olney, Ill., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC 127497 (Sub-No. 2), filed August 7, 1969. Applicant: J. E. DODSON, INC., 7624 Chardon Road, Kirtland, Ohio 44094. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Roofing shingles and tar paper*, from Chicago, Ill., to Willoughby, Ohio, under contract with Celotex Corp. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127527 (Sub-No. 5), filed August 21, 1969. Applicant: CARL W. REAGAN, doing business as SOUTHEAST TRUCKING CO., 8372 C. H. East, Rural Delivery No. 6, Ravenna, Ohio 44266. Applicant's representative: Robert N. Krier, 88 East Broad Street, Columbus, Ohio 43212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Vitrified clay products*, from the plantsite of the United States Concrete Pipe Co. at or near Mogadore, Ohio, to points in Illinois, Kentucky, Minnesota, and Iowa (excluding points in Wisconsin), under contract with the United States Concrete Pipe Co. NOTE: Applicant states it has filed an application under section 5, wherein it seeks to purchase the operating rights of Baker Highway Express, Inc., under MC 119441 Sub 4, wherein it is authorized to conduct operations as a common carrier transporting the same commodity as sought herein, but boarder territorywise because it serves Wisconsin; under its Sub 13, Baker Highway Express, Inc., is authorized to conduct operations as a common carrier, transporting clay products, from points in Ohio, to points in Wisconsin. Applicant further states that "because the authority held by Baker Highway Express, Inc., to transport 'clay products' would include authority to transport vitrified clay products"; because the authority sought to be purchased in the section 5 application contains authority to transport "vitrified

clay products", from Mogadore, Ohio, to points in Wisconsin and because Baker Highway Express is presently transporting shipments of brick to Wisconsin for a shipper other than the supporting shipper in the instant application, applicant herein only seeks authority by this application, in the event the section 5 application should be denied. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 127605 (Sub-No. 7), filed August 15, 1969. Applicant: ELMER E. LAIRD, doing business as ELMER E. LAIRD & SON, 3135 West North Temple, Post Office Box 1343, Salt Lake City, Utah 84116. Applicant's representative: William S. Richards, 1605 Walker Bank Building, Salt Lake City, Utah 84116. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sporting goods, fire alarms, vacuum cleaners, sewing machines, sewing machine cases, electric blenders, photo albums, floor sanding, waxing and cleaning machines, cameras, projectors, lawn mowers, encyclopedias, cookware, dishware, melmac products, can openers, coffee makers, luggage, watches, power tools, radios, toothbrushes, grass catchers, picnic jugs, cutlery and advertising materials*, between Los Angeles, Calif., and points in the Los Angeles Harbor commercial zone, and Dallas, Houston, Corpus Christi, and San Antonio, Tex., under account for National Houseware, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 127689 (Sub-No. 32), filed August 4, 1969. Applicant: PASCAGOULA DRAYAGE COMPANY, INC., 705 East Pine Street, Hattiesburg, Miss. 39401. Applicant's representative: H. E. West (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bottles, carboys, demijohns or jars, and closures*, between the plantsite of Gulfport Glass Corp., Gulfport, Miss., and points in Alabama, Arkansas, Florida, Georgia, Louisiana, Tennessee, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Gulfport or Hattiesburg, Miss.

No. MC 127834 (Sub-No. 40), filed August 25, 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, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Porcelainized products;* (2) *parts, attachments, and accessories* for porcelainized products; and (3) *materials, equipment, and supplies* used in the manufacture of the commodities in (1) and (2) above, between Nashville, Tenn., on the one hand, and on the other, points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 128412 (Sub-No. 2), filed August 18, 1969. Applicant: LO-TEMP EXPRESS, INC., 1810 10th Avenue, Altoona, Pa. 16603. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as *contract carrier*, by motor vehicle, over irregular routes, transporting: *Confectioneries and confectionery products*, from Altoona, Pa., to points in Ohio, Indiana, Illinois, Michigan, Wisconsin, New York, and Massachusetts; under continuing contract with Boyer Bros., Inc., of Altoona, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 129886 (Sub-No. 1), filed August 20, 1969. Applicant: CALVIN E. SUMMERS, 112 Spruce Street, Elizabethville, Pa. 17023. Applicant's representative: John W. Frame, Box 626, Camp Hill, Pa. 17011. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats and meat products* requiring refrigeration, and *frozen foods*, from the site of the warehouse of Calvin E. Summers, doing business as Calvin Summers Storage at Elizabethville, Pa., to points in Delaware, Maryland, New York, New Jersey, Ohio, Virginia, West Virginia, and Washington, D.C.; *and returned shipments* of the commodities specified herein; from points in the described destination areas herein to the specified origin herein. Restriction: The operations sought herein are limited to a transportation service to be performed, under a continuing contract, or contracts with Servomation Mathias, Inc., of Baltimore, Md. NOTE: Applicant presently holds similar authority in its MC 129886, however the purpose of the instant application is to include an additional shipper. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 133509 (Sub-No. 1), filed August 14, 1969. Applicant: JAMES L. SHORT, 205 South Defiance Street, Archbold, Ohio 43502. Applicant's representative: Marion M. Emery, 6055 Flanders Road, Sylvania, Ohio 43560. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum mobile house steps, aluminum boat docks, aluminum scaffolds, aluminum pallets, aluminum awnings, aluminum furniture and parts thereof*, from Bryan, Ohio, to points in the States of Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Pennsylvania, West Virginia, and Wisconsin; *materials, accessories, parts and supplies* used or useful in the manufacture or production of the above described commodities from points in the States described above to Bryan, Ohio; *aluminum extrusions*, from Columbus, Ohio to points in Baytown, Tex., Jefferson City, Mo., Littleton, Colo., Madison, Wis., North Plainfield, N.J., Pompano Beach, Fla., and Rocky Mount, N.C.; *carpet*, from Milwaukee, Wis., and Youngstown, Ohio to points in Baytown, Tex., Jefferson City, Mo., Littleton, Colo., Madison, Wis., North Plainfield, N.J., Pompano Beach, Fla., and Rocky Mount, N.C.; *cushions*, from Bremen, Ind., to points in Baytown, Tex., Jefferson City, Mo., Littleton, Colo., Madison, Wis., North Plainfield, N.J., Pompano Beach, Fla., and Rocky Mount, N.C., under contract with Web, Inc., successor to Jorja's, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Detroit, Mich.

No. MC 133583 (Sub-No. 1), filed August 21, 1969. Applicant: CENTRAL MOVING & STORAGE, INC., 7801 North Panam Expressway, San Antonio, Tex. 78218. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between San Antonio, Tex., on the one hand, and, on the other, points in Bexar County, Tex., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex.

No. MC 133583 (Sub-No. 2), filed August 25, 1969. Applicant: CENTRAL MOVING & STORAGE, INC., 7801 North Panam Expressway, San Antonio, Tex. 78218. Applicant's representative: J. D. Albright (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between San Antonio, Tex., on the one hand, and, on the other, points in Bexar County, Tex., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex., or Washington, D.C.

No. MC 133696 (Sub-No. 1), filed July 30, 1969. Applicant: ANTELOPE VALLEY REFRIGERATING CO., a corporation, doing business as ANTELOPE VALLEY VAN & STORAGE CO., 602 Avenue East R, Palmdale, Calif. 93550. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Kern and Los Angeles Counties, Calif. Restrictions: The service authorized is

restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133720 (Sub-No. 2), filed August 20, 1969. Applicant: SHAWANO TERMINAL WAREHOUSE, INC., Post Office Box 67, Shawano, Wis. 54166. Applicant's representative: Robert D. Sundby, 110 East Main Street, Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated caskets, casket shells, casket shells and related supplies*, from Shawano, Wis., to points in Alger, Baraga, Delta, Dickinson, Goebic, Houghton, Iron, Keweenaw, Marquette, Menominee and Ontonagon Counties, Mich., and *rejected or refused caskets or casket shells* on return, under contract with Batesville Casket Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Green Bay, Milwaukee, or Madison, Wis.

No. MC 133832 (Amendment), filed June 17, 1969, published in the FEDERAL REGISTER issue of July 17, 1969, and republished, this issue. Applicant: A. D. S. TRUCKING INC., 217 West Nicholai Street, Hicksville, N.Y. 11801. Applicant's representatives: Douglas Miller, 14 Grant Street, Hempstead, N.Y. 11550 and 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: (1) *Earthenware and chinaware, glassware, utensils, advertising material and store display racks*, (a) from the New York, N.Y., commercial zone to points in Nassau and Suffolk Counties, N.Y., and (b) from the New York, N.Y., commercial zone and Oceanside, N.Y., to points in New Jersey and Connecticut, (2) *books, advertising material and store display racks*, from the New York, N.Y., commercial zone to points in New Jersey and Connecticut, and (3) *returned shipments of commodities* in (1) and (2) in the opposite direction, under contract with Sperling and Schwartz, Inc., and Rockville International, Inc. NOTE: The purpose of this republication is to reflect the commodity description in (1) above. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133846 (Sub-No. 2), filed August 26, 1969. Applicant: FLITE LINE SERVICE, INC., 1610 Jackson Street, Philadelphia, Pa. Applicant's representative: V. Baker Smith, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except commodities in bulk, between Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, points in Atlantic, Cumberland, Cape May, Salem, Gloucester, Camden, Burlington, and Mercer Counties, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 133847 (Sub-No. 1), filed July 1, 1969. Applicant: NEWPORT TRUCKING CO., a corporation, Post Office Box 238, Newport, Tenn. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *New furniture;* (a) from the plantsite and storage facilities of the New Line Corp. at or near Newport, Tenn. to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and points in all States east thereof; and (b) from the plants and storage facilities of Kroehler Manufacturing Co., at or near Napersville, Ill.; Kankakee, Ill.; Cleveland, Ohio; Binghamton, N.Y.; Charlotte, N.C.; Pontotoc, Miss.; Owensboro, Ky.; Thomasville, N.C.; Lexington, N.C.; Dallas, Tex.; Meridian, Miss.; Shreveport, La.; Welcome, N.C.; and Xenia, Ohio, to the plantsite and storage facilities of the New Line Corp. at or near Newport, Tenn.; (2) *plastic* upholstery material, from Philadelphia, Pa., and Lowell, Mass., to the plantsite and storage facilities of the New Line Corp. at or near Newport, Tenn.; and (3) *metal fixtures, parts, and springs*, used in the manufacture of furniture, from Louisville, Ky., Chicago, Ill., and Tupelo, Miss., to the plantsite and storage facilities of the New Line Corp. at or near Newport, Tenn., under contract with the New Line Corp., Newport, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville or Knoxville, Tenn.

No. MC 133884 (Amendment), filed July 7, 1969, published in FEDERAL REGISTER issue of August 7, 1969, amended August 25, 1969, and republished as amended, this issue. Applicant: BRUCE FULLER, 1710 Main Street, Buhl, Idaho 83316. Applicant's representative: Charles J. Kimball, 605 South 14th, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber, lumber products, plywood, particle board, and laminated wood beams*, from points in Idaho to points in Colorado and Missouri, under continuing contract with Beall Lumber Co.; and (2) *feed and feed ingredients;* (a) from the plantsites and storage facilities of Rangen, Inc., at or near Buhl and Hagerman, Idaho, to points in Washington, Oregon, Montana, Wyoming, Colorado, Utah, Nevada, California, Arizona, New Mexico, Nebraska, South Dakota, North Dakota, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, and Michigan; and (b) from points in the destination States in (2) (a) and points in Kansas to the plantsites and storage facilities utilized by Rangen, Inc., at or near Buhl and Hagerman, Idaho, under continuing contract with Rangen, Inc. NOTE: The purpose of this republication is to redescribe the territory sought in (1) above. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 133914 (Sub-No. 1), filed July 22, 1969. Applicant: ASTRO EXPRESS, INC., 921 Bergen Avenue, Room No. 1021, Jersey City, N.J. 07306. 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: *Furnaces, presses, and equipment, materials, and supplies* used in the manufacture and sale of furnaces and presses, between Blackville, S.C., and Totowa, N.J., on the one hand, and, on the other, points in the United States east of the western boundaries of Minnesota, Iowa, Missouri, Arkansas, and Texas, under contract with Ducane Heating Corp., and Wayne Press Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 133922 (Sub-No. 1), filed August 18, 1969. Applicant: WILLIAM H. NAGEL, doing business as JENKINS AND NAGEL, Post Office Box 98, Wolcott, Ind. 47995. Applicant's representative: Alki E. Scopelitis, 816 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soya flour*, from the plant and warehouse sites of Griffith Food Products, a subsidiary of Griffith Laboratories, Inc., at or near Remington, Ind., to points in Alabama, Georgia, Illinois, Iowa, Michigan, New Jersey, Ohio, and Pennsylvania; and (2) *foodstuffs and materials, equipment and supplies* used in the manufacture and distribution of foodstuffs, from the plant and warehouse sites of Griffith Laboratories, Inc., at Chicago, Ill., to points in Alabama, Georgia, Indiana, Michigan, New Jersey, Ohio, and Pennsylvania, under contract or continuing contracts with Griffith Food Products and Griffith Laboratories, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 133926 (Correction), filed July 22, 1969, published in the FEDERAL REGISTER on August 21, 1969, and republished in part, as corrected, this issue. Applicant: MICHAEL McINERNEY, doing business as M & M TRANSFER COMPANY, 415 Pavonia, Sioux City, Iowa 51101. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. NOTE: The purpose of this partial republication is to reflect that applicant seeks *contract carrier* authority in lieu of common carrier authority which was inadvertently shown in the previous publication. The rest of the application remains the same.

No. MC 133933 (Sub-No. 1), filed August 1, 1969. Applicant: DUNCAN TRANSPORTS, INC., 1 Mill Street, Ellington, Mo. 63638. Applicant's representative: William H. Bruce, Jr., Bruce Building, Ellington, Mo. 63638. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfinished lumber, industrial blocking, rail road ties, wood chips, pallets and staves*, from points in Carter, Shannon, Reynolds, Iron, Madison, St. Francois, and Wayne Counties, Mo., to Chicago, Alton, Kankakee, and Waukegan, Ill.; East Chicago, Ind., and Wickliff, Ky. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 133951, filed July 30, 1969. Applicant: EARL W. PIEHO, doing business as PIEPHO MOVING AND STORAGE, 110 South Columbus, Albert Lea, Minn. 56007. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk) and *foodstuffs* (except meats, meat products, meat byproducts and articles distributed by meat packinghouses as described above) when transported in mixed truckloads with meat, meat products, meat byproducts, and articles distributed by meat packinghouses, from the plantsite and/or warehouse facilities of Geo. A. Hormel & Co., Austin, Minn., to points in North Dakota, restricted to shipments originating at the plantsite and/or warehouse facilities of Geo. A. Hormel & Co., Austin, Minn., and destined to points in North Dakota. NOTE: If a hearing is deemed necessary applicant requests it be held at Minneapolis, Minn.

No. MC 133953, filed August 6, 1969. Applicant: SANITARY TRANSFER, INC., 2300 Palmer Street, Pittsburgh, Pa. 15218. Applicant's representative: Jerome Solomon, 704 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products, materials, equipment and supplies incidental to the production of bakery products, potato chips, and containers, and empty containers*, (1) from points in the Pittsburgh commercial zone as defined by the Commission, on the one hand, and, on the other, points in Ohio, West Virginia, Maryland, Maine, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, North Carolina, Michigan, Missouri, New Jersey, Florida, and the District of Columbia; and (2) from points in Pennsylvania on and west of U.S. Highway 219 on the one hand, and, on the other, points in Ohio, West Virginia, and Maryland, under contracts or continuing contracts with the National Biscuit Co. and Mallett & Co., Inc. NOTE: Applicant holds common carrier authority under MC 123308, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 133956, filed August 11, 1969. Applicant: JAMES "JAKE" JACOBSMA, doing business as JACOBSMA TRANSPORTATION COMPANY, 108 South Virginia Street, Sioux City, Iowa. Applicant's representative: Robert J. Larson, 222 Davidson Building, Sioux City, Iowa 51101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and aluminum casting, structural steel and reinforcing steel* for bridges and buildings, and *steel bars, plates, shapes, and sheets*, between the plantsites of Missioui Valley Steel Co. and Sioux City Foundry Co., at/or near Sioux City, Iowa, and South Sioux City, Nebr., on the one hand, and, on the other, points in Iowa, Nebraska, South Dakota, Minnesota, Kansas, Missouri, and North Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 133968, filed August 13, 1969. Applicant: WATERFORD EXCAVATION CO., INC., 622 North Cass Street, Suite 411, Milwaukee, Wis. 53202. Applicant's representative: Frank M. Coyne, One West Main Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, between points in Wisconsin, Minnesota, and Upper Peninsula of Michigan. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 133969 (Sub-No. 1), filed August 21, 1969. Applicant: LANE TRANSFER CO., INC., Brandy Station, Va. 22714. Applicant's representatives: L. C. Major, Jr. and W. F. King, Suite 301, Tavern Square, 421 King Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips and sawdust*, from points in Culpeper, Orange, Stafford, Spotsylvania, and King George Counties, Va., to Spring Grove, Philadelphia, and Roaring Springs, Pa., Baltimore, Md., Brooklyn, N.Y., and Camden, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds pending contract application under MC 133760, therefore dual operation may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 133976, filed August 14, 1969. Applicant: TERRON TRUCKING, INC., 340 West 40th Street, New York, N.Y. 10018. 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: *Textiles, cloth, fabrics, and knit goods*, between points in the New York, N.Y., commercial zone, as defined by the Commission, and points in Bergen, Essex, Passaic, Hudson, and Union Counties, N.J., and Rockville, Conn., under contract with Duo Set Processing Corp., a division of Putnam-Herzl Finishing Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 133977, filed August 15, 1969. Applicant: GENE'S, INC., 302 Maple Lane, Arcanum, Ohio 45304. Applicant's representative: Paul F. Berry, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, between Washington Court House, Ohio, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 133979, filed August 13, 1969. Applicant: CHRIS DRAKOS, doing business as MONTANA BRAND PRODUCE CO., 111 West Fireclay Avenue, Murray, Utah 84107. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocers and food business houses*, between points in Washington, Oregon, California, Nevada, Utah, Idaho, Montana, Wyoming, and Colorado, under contract with Albertson's Inc. NOTE: Applicant holds common carrier authority under MC 128241, therefore, dual operation may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Boise, Idaho.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 141), filed August 18, 1969. Applicant: GREYHOUND LINES, INC., 1400 West Third Street, Cleveland, Ohio 44113. Applicant's representative: Barrett Elkins (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, (1) from Interchange 76 of the Connecticut Turnpike (Connecticut State Highway 52) over the Connecticut Turnpike to Interchange 81, thence over Connecticut Highways 2 and 32 to Norwich, Conn., thence over Connecticut Highways 2 and 32 to junction with Town Street, just north of Norwich, thence over Town Street to junction with West Town Street, thence over West Town Street to junction with the Connecticut Turnpike at Interchange 82, thence over the Connecticut Turnpike to eastern terminus at the Connecticut-Rhode Island State line, at the junction

of the Connecticut Turnpike and U.S. Highway 6 near South Killingly, Conn., and return over the same route, serving the intermediate points located on West Town Street, Town Street, the city of Norwich, Conn., and Connecticut Highways 2 and 32; and also serving Interchange 78 of the Connecticut Turnpike for the purpose of joinder only; (2) from Interchange 82 of the Connecticut Turnpike, over the Connecticut Turnpike (Connecticut Highway 52) to Interchange 81, and return over the same route, serving no intermediate points; and (3) from New London, Conn., over Connecticut Highway 32 to junction with access road leading to Interchange 78 of the Connecticut Turnpike, thence over said access road to its junction with the Connecticut Turnpike at Interchange 78, and return over the same route, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Norwich, Conn., or Providence, R.I.

No. MC 10302 (Sub-No. 4), filed August 1, 1969. Applicant: THE CHIEPPO BUS COMPANY, a corporation, 192 Forbes Avenue, New Haven, Conn. 06511. 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 the same vehicle with passengers, in special round trip operations, beginning and ending at New Haven, Hartford, Southington, and Danbury, Conn., and extending to Pownal, Vt.; Pawtucket and Lincoln, R.I.; Saratoga Springs, N.Y.; and points in New York on south and east of a line extending from the New Jersey-New York State line at Sloatsburg, N.Y., through Nyack and Tarrytown to the New York-Connecticut State line, restricted to the transportation of passengers who at the time are traveling for the purpose of attending or participating in sporting events (including race tracks), theaters, shows, parks, beaches, and like places or events; transportation in each instance to a point at or near the site of the place or event, and return. NOTE: A motion to dismiss has been filed concurrently herewith. This motion relates to authority sought beginning and ending at New Haven, Hartford, and Southington, Conn., as applicant believes such authority was granted and authorized under its Sub 1 certificate. If a hearing is deemed necessary, applicant requests it be held at New Haven, Conn.

No. MC 115581 (Sub-No. 2), filed August 15, 1969. Applicant: THE AIRFIELD SERVICE COMPANY, a corporation, 193 Turnpike Road, Windsor Locks, Conn. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, limited to the transportation of not more than 11 passengers in one vehicle (not including the driver thereof), in charter operations, from Bradley International Airport, Windsor Locks, Conn., to points in New York, Massachusetts, Rhode Island, Vermont, and New Hampshire, and Newark, N.J. and return. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or Springfield, Mass.

No. MC 128684 (Sub-No. 2), filed August 7, 1969. Applicant: CENTRAL BUSLINE, INC., 1814 West Rupe, Enid, Okla. 73701. Applicant's representative: D. E. Schinner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, from points on its existing regular route between Enid, Okla., and Caldwell, Kans., on U.S. Highway 81, on the one hand, and, on the other, points in Kansas, Oklahoma, Texas, Arkansas, Missouri, and Colorado. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Wichita, Kans.

No. MC 133519 (Sub-No. 2), filed July 25, 1969. Applicant: JOHN W. DRUMMOND, Withams, Va. 29488. Applicant's representative: Alfred T. Truitt, Jr., Post Office Box 866, Salisbury, Md. 21801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, in special operations, between points in Accomac County, Va., and Showell, Md. 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 Salisbury, or Showell, Md.

APPLICATION FOR FREIGHT FORWARDER

No. FF-293 (Sub-No. 2) (VON DER AHE VAN LINES, INC., Freight Forwarder Application), filed September 5, 1969. Applicant: VON DER AHE VAN LINES, INC., 900 Rudder Avenue, Fenton, Mo. Applicant's representative: Robert J. Gallagher, 111 State Street, Boston, Mass. 02109. Authority sought under section 410, Part IV of the Interstate Commerce Act for a permit to continue operation as a freight forwarder in interstate or foreign commerce, through the use of the facilities of *common carriers* by railroad, express, water, air, or motor vehicle in the transportation of *houshold goods*, as defined by the Commission, between points in the United States.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 84690 (Sub-No. 23), filed August 24, 1969. Applicant: NORTHERN PACIFIC TRANSPORT COMPANY, a corporation, 176 East Fifth Street, St. Paul, Minn. 55101. Applicant's representative: James A. Anderson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle, between Bozeman and Logan, Mont., over Interstate Highway 90, and return over the same route serving no intermediate points. NOTE: Common control may be involved.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-11094; Filed, Sept. 17, 1969; 8:45 a.m.]

[S.O. 994; ICC Order 36, Amdt. 1]

LOUISVILLE AND NASHVILLE RAILROAD CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 36 (Louisville and Nashville Railroad Co.) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 36 be, and it is hereby amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* This order shall expire at 11:59 p.m., October 15, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., September 12, 1969, and that this order 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., September 12, 1969.

INTERSTATE COMMERCE COMMISSION,

[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 69-11143; Filed, Sept. 17, 1969; 8:48 a.m.]

[Notice 906]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 15, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served

on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 116474 (Sub-No. 19 TA), filed September 4, 1969. Applicant: LEAVITTS FREIGHT SERVICE, INC., 3855 Marcola Road, Springfield, Oreg. 97477. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, (a) from Enumclaw, Wash., to Cottage Grove, Oreg.; (b) from Raymond and Longview, Wash., to Salem, Albany, Springfield, and Cottage Grove Oreg., (2) *Waste or clipping*, baled, from Alameda, Modesto, Santa Paula, and Colton, Calif., to Springfield, Oreg., under contract with and for the account Weyerhaeuser Co., for 180 days. Supporting shipper: Weyerhaeuser Co., Tacoma, Wash. 98401. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 119777 (Sub-No. 162 TA), filed September 4, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *fiberboard, pulpboard, chipboard, flakeboard, and particle board*, (2) *the commodities described in (1) above*, faced or finished with decorative or protective material, and (3) *materials, accessories, and supplies* used in the installation of the commodities described in (1) and (2) above, from points in Pulaski County, Ark., to points in Missouri, for 180 days. Supporting shippers: Carl J. Good, Marketing Manager, Superwood Corp., Duluth, Minn.; Arthur E. Heflin, Traffic Manager, Little Rock Hardboard doing business as, Superwood of Arkansas, Pulaski County, Ark. Send protests to: Wayne L. Merilatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 123487 (Sub-No. 6 TA), filed September 2, 1969. Applicant: HENRY HAMEL AND NORMAND E. HAMEL, doing business as HAMEL MOTOR TRANSP. CO., River Road, R.F.D. No. 1, Suncook, N.H. 03275. Applicant's representative: Michael M. Lonergan, 9 Capitol Street, Concord, N.H. 03301. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Rough and slabbed granite*, from Barre, Vt., to Concord, N.H., over route 14 to White River Junction, Vt., route 4 through Lebanon, N.H., and on route 89 to 93, thence north on route 93 to Concord, N.H., and north on State Street to The John Swenson Granite Co., Inc., restricted to traffic moving under a continuing contract with The John Swenson Granite Co., Inc., for 180 days. Supporting shipper: The John Swenson Granite Co., Inc., Concord, N.H. 03301. Send protests to: District Supervisor Ross J. Seymour, Bureau of Operations, Interstate Commerce Commission, 424 Federal Building, Concord, N.H. 03301.

No. MC 123490 (Sub-No. 13 TA) (Correction), filed August 26, 1969, published in the FEDERAL REGISTER, issue of September 6, 1969 and republished in part, this issue. Applicant: CHIP CARRIERS, INC., 927 32d Avenue, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. NOTE: The purpose of this partial republication is to include River Grove, Ill., as an origin point, inadvertently omitted in previous publication. The rest of the application remains as previously published.

No. MC 124121 (Sub-No. 4 TA), filed September 2, 1969. Applicant: NUSSBERGER BROS. TRUCKING CO., INC., Post Office Box 95, Railroad Street, Prentice, Wis. 54556. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hydraulic loading equipment*, for trucks, trailers, or tractors, and *component parts* thereof, between Prentice, Wis., on the one hand, and, on the other, Zebulon, N.C.; (2) *steel tubing*, in mixed shipments with hydraulic loading equipment, for trucks, trailers, and tractors, and component parts thereof, from Shelby, Ohio, to Prentice, Wis.; and (3) *steel plate*, in mixed shipments with hydraulic loading equipment, for trucks, trailers, and tractors, and component parts thereof, from Gary, Ind., to Prentice, Wis., for 180 days. Supporting shipper: Omark-Prentice Hydraulics, Inc., Prentice, Wis. 54556. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 129657 (Sub-No. 3 TA), filed September 2, 1969. Applicant: KEN McCARVILLE DISTRIBUTING COMPANY, INC., 436 Rainbow Road, Spring Green, Wis. 53588. Applicant's representative: Michael J. Wyngaard, 125 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and carbonated beverages*, from Monroe, Wis., to Springfield, Ill., and points within its commercial zone; St. Louis, Mo., and East St. Louis, Ill., and points within the commercial zones of St. Louis, Mo., and East St. Louis, Ill.; Bellville, and Collinsville, Ill., for 180 days. Supporting shipper: Frederick Huber, Vice President, Joseph Huber Brewing Co., 1208 14th Avenue, Monroe, Wis. 53566. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 133984 (Sub-No. 1 TA) (Correction), filed August 28, 1969, published FEDERAL REGISTER, issue of September 11, 1969, and republished as corrected this issue. Applicant: M. A. POPPERT, doing business as POPPERT TRUCKING COMPANY, 1915 North Durfee, El Monte, Calif. 91733. Applicant's representative: Donald Murchison, Suite 211, Paris Building, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Store fixtures and equipment*, crated, and *store fixtures and equipment*, uncrated, in mixed loads, on flatbed trailers, between the plantsite and warehouses of Hill Refrigeration Corp. located within Glendale and Burbank, Calif., on the one hand, and, on the other, points in Arizona, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, and Colorado, for 150 days. Supporting shipper: Hill Refrigeration Corp., 4400 San Fernando Road, Glendale, Calif. 91204. Send protests to: Robert G. Harrison, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012. NOTE: The purpose of this republication is to correct applicant's name and also to show the name of the supporting shipper.

No. MC 133985 TA, filed August 28, 1969. Applicant: RICHARD M. GODFREY TRUCKING, INC., 1358 East 6400 South Street, Salt Lake City, Utah 84121. Applicant's representative: William S. Richards, Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Campers and trailers*, from Idaho Falls, Idaho, and Salt Lake County, Utah, on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, New Mexico, Arizona, Utah, Idaho, Montana, Wyoming, Colorado, Texas, Nebraska, Kansas, Oklahoma, North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, Indiana, Illinois, Missouri, Ohio, and Alaska; (2) *parts and supplies* to be used in the construction of campers and trailers, from points in Washington, Oregon, California, Utah, Idaho, Montana, Colorado, Texas, Minnesota, Wisconsin, Iowa, Indiana, Illinois, Ohio, on the one hand, and, on the other, to Idaho Falls, Idaho, and Salt Lake County, Utah, under a continuing contract with Vista International Corp., for 180 days. Supporting shipper: Vista International Corp., 2200 South 3270 West, Salt Lake City, Utah 84119 (Carl P. Webster, Vice President). Send protests to: John T. Vaugha, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 133991 TA, filed September 2, 1969. Applicant: JOHN J. LANDSTROM, doing business as AIR-GO MESSENGER SERVICE, 834 Southeast 71st Avenue, Portland, Oreg. 97215. Applicant's representative: L. V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg. 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Exposed and processed film and prints, complimentary replacement film, and incidental handling supplies and advertising literature* moving therewith (excluding motion picture film used primarily for commercial theater or television distribution), having an immediate, prior or subsequent movement by air, between the Portland, Oreg., International Airport, on the one hand, and, on the other Corvallis, Albany, Salem, McMinnville, Forest Grove, Hillsboro, Beaverton, Oregon City, Portland, Oreg., and Vancouver, Wash., for 180 days. Supporting shipper: Eastman Kodak Co., General Traffic Department, Building 205, Kodak Park Division, Rochester, N.Y. 14650. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Oreg. 97204.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 69-11144; Filed, Sept. 17, 1969; 8:48 a.m.]

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