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Agencies in this issue—

Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Business and Defense Services
Administration
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Federal Aviation Administration
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Federal Water Pollution Control
Administration
Fiscal Service
Fish and Wildlife Service
Food and Drug Administration
General Services Administration
Housing and Urban Development
Department
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Securities and Exchange Commission

Detailed list of Contents appears inside.



Latest Edition

Guide to Record Retention Requirements

[Revised as of January 1, 1969]

This useful reference tool is designed to keep businessmen and the general public informed concerning the many published requirements in Federal laws and regulations relating to record retention.

The 86-page "Guide" contains over 900 digests which tell the user (1) what type records must be kept, (2) who must keep

them, and (3) how long they must be kept. Each digest carries a reference to the full text of the basic law or regulation providing for such retention.

The booklet's index, numbering over 2,000 items, lists for ready reference the categories of persons, companies, and products affected by Federal record retention requirements.

Price: 75 cents

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

[Navel Orange Reg. 182]

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

Limitation of Handling

§ 907.482 Navel Orange Regulation 182.

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and

effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 4, 1969.

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

- (i) District 1: 768,501 cartons.
- (ii) District 2: Unlimited movement.
- (iii) District 3: 64,504 cartons.

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

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

Dated: November 5, 1969.

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

[F.R. Doc. 69-13322; Filed, Nov. 5, 1969;
11:19 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 69-SW-68]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Monticello, Ark., transition area.

On September 20, 1969, a final rule was published in the FEDERAL REGISTER (34 F.R. 14641) designating the Monticello, Ark., transition area, effective 0901 G.m.t., November 13, 1969.

The southeasterly extension of the transition area was based on the Monticello VORTAC 336° true (330° magnetic) radial. This radial was the proposed approach course of the VOR instrument approach procedure which had been developed to serve the Monticello Municipal Airport. The U.S. Coast and Geodetic Survey has changed the 330° magnetic (336° true) radial to the 331° magnetic

(337° true) radial. Action is taken herein to correct the extension designation to include the Monticello VORTAC 337° radial rather than the 336° radial. The amount of controlled airspace will not be increased by this change.

Since this amendment is minor in nature and is required in the interest of safety, notice and public procedures hereon are not practical and the amendment may be made effective immediately.

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.

In § 71.181 (34 F.R. 4637, 14641), the Monticello, Ark., transition area is amended to read:

MONTICELLO, ARK.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Monticello Municipal Airport (lat. 33°38'10" N., long. 91°45'10" W.), and within 2 miles each side of the Monticello VORTAC 337° radial extending from the 5-mile radius area to the 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 Fort Worth, Tex., on October 27, 1969.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 69-13230; Filed, Nov. 5, 1969;
8:46 a.m.]

[Airspace Docket No. 69-SW-67]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Warren, Ark., transition area.

On August 16, 1969, a final rule was published in the FEDERAL REGISTER (34 F.R. 13301) designating the Warren, Ark., transition area, effective 0901 G.m.t., October 16, 1969.

The easterly extension of the transition area was based on the Monticello VORTAC 271° true (265° magnetic) radial. This radial was the proposed approach course of the VOR/DME instrument approach procedure which had been developed to serve the Warren Municipal Airport. The U.S. Coast and Geodetic Survey has changed the 265° magnetic (271° true) radial to the 264° magnetic (270° true) radial. Action is taken herein to correct the extension designation to include the Monticello VORTAC 270° radial rather than the 271° radial. The amount of controlled airspace will not be increased by this change.

Since this amendment is minor in nature and is required in the interest of safety, notice and public procedures

hereon are not practical and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (34 F.R. 4637, 13301), the Warren, Ark., transition area is amended to read:

WARREN, ARK.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Warren Municipal Airport (lat. 33°33'50" N., long. 92°05'00" W.), and within 2 miles each side of the Monticello VORTAC 270° radial extending from the 5-mile radius area to 16 miles west of the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 5(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on October 27, 1969.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 69-13229; Filed, Nov. 5, 1969; 8:46 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Regulation No. ER-590]

PART 249—PRESERVATION OF AIR CARRIER ACCOUNTS, RECORDS AND MEMORANDA

Deletion of Safety Record Retention Requirements

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

The National Transportation Safety Board (NTSB) has amended Part 430 of its investigation regulations (34 F.R. 15750, Oct. 11, 1969), effective 30 days after publication, to require that all operators of aircraft involved in an accident or incident retain all records and reports (including internal documents and memoranda) made in connection with such accidents and incidents until otherwise authorized by NTSB.

The function of investigating aircraft accidents was transferred from the Civil Aeronautics Board to NTSB by section 5 of the Department of Transportation Act of 1966 (80 Stat. 1935). However, Part 249 still provides that records and reports incident to aircraft accidents be retained by certificated air carriers until disposal is authorized by the Civil Aeronautics Board. Moreover, Part 249 requires that other aircraft maintenance, overhaul, and flight operations records be retained to facilitate aircraft accident investigations. These safety records are also prescribed by the Federal Aviation Administration. It is therefore appropriate that the Board delete safety records from its record retention requirements to avoid overlapping or inconsistent requirements in this area.

The Board finds that notice and public procedure hereon are unnecessary and that the amendment shall be effective on the effective date of the amendment to Part 430.

Accordingly, the Board hereby amends Part 249 of the Economic Regulations (14 CFR Part 249), effective November 10, 1969, as follows:

1. Amend § 249.8 by deleting from the "Category of Records" list, Categories 3, 4, 5, 6, 7, 8, 9, and 10.

2. Amend paragraph (f) of § 249.13 by deleting from the "Schedule of Records" list, the center heading "Maintenance and Overhaul" and Categories 350, 351, and 352 thereunder; and the center heading "Transportation" and Categories 400, 401, 402, 403, and 404 thereunder.

(Secs. 204(a) and 407 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766; 49 U.S.C. 1324, 1377)

By the Civil Aeronautics Board.

[SEAL]

MABEL McCART,
Acting Secretary.

[F.R. Doc. 69-13244; Filed, Nov. 5, 1969; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-1592]

PART 13—PROHIBITED TRADE PRACTICES

Century Fabrics, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*: 13.15-235 *Producer status of dealer or seller*; 13.15-235(m) *Manufacturer*; § 13.30 *Composition of goods*: 13.30-75 *Textile Fiber Products Identification Act*; § 13.73 *Formal regulatory and statutory requirements*: 13.73-90 *Textile Fiber Products Identification Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-80 *Textile Fiber Products Identification Act*; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-80 *Textile Fiber Products Identification Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-70 *Textile Fiber Products Identification Act*. Subpart—Using misleading name—Vendor: § 13.2445 *Producer or laboratory status of seller*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Century Fabrics, Inc., et al., Chicago, Ill., Docket C-1592, Oct. 10, 1969]

In the Matter of Century Fabrics, Inc., a Corporation, Doing Business Under its Own Name and as Grant Looms

Consent order requiring a Chicago, Ill., converter and jobber of drapery and upholstery fabrics, and an importer of Italian tapestry fabrics to cease falsely advertising and misbranding its textile fiber products, and using the word

"Looms" or any other word implying that it mills or manufactures the textiles it sells.

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

It is ordered, That respondent Century Fabrics, Inc., a corporation, doing business under its own name and as Grant Looms or any other name, and its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce or the importation into the United States of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, after shipment in commerce, of any textile fiber product whether in its original state or contained in other textile fiber products as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of the constituent fibers contained therein.

2. Failing to affix labels to such textile fiber products showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

3. Placing nonrequired information on labels in such a manner as to minimize, detract from, or conflict with the required information or to be false or deceptive as to fiber content.

4. Using a fiber trademark on labels affixed to textile fiber products without the generic name of the fiber appearing on the said labels.

5. Using the generic names of fibers in nonrequired information on any label in such a manner as to be false, deceptive, or misleading as to fiber content or to indicate directly or indirectly that such textile fiber products are composed wholly or in part of a particular fiber when such is not the case.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representations, by disclosure or by implication, as to the fiber content of any textile fiber product in any written advertisement which is used to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of such textile fiber products unless the same information required to be shown on the stamp, tag, label, or other means of identification under section 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in the

said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Using a fiber trademark in advertisements without a full disclosure of required content information in at least one instance in the said advertisement.

3. Using a fiber trademark in advertising textile fiber products containing more than one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

4. Using a fiber trademark in advertising textile fiber products containing only one fiber without such fiber trademark appearing at least once in said advertisement in immediate proximity and conjunction with the generic name of the fiber, in plainly legible and conspicuous type.

5. Using the generic name of a fiber in advertising textile fiber products in such a manner as to be false, deceptive, or misleading as to fiber content or to indicate directly or indirectly that such textile fiber products are composed wholly or in part of such fiber when such is not the case.

6. Failing to set forth all parts of the required information in advertisements of textile fiber products in immediate conjunction with each other in legible and conspicuous type or lettering of equal size and prominence.

It is further ordered, That respondent Century Fabrics, Inc., a corporation, doing business under its own name and as Grant Looms or any other name, and its officers, representatives, agents, and employees directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of fabrics or other products in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Directly or indirectly using the word "Looms" or any other word or term of similar import or meaning in or as a part of respondent's corporate or trade name or representing in any other manner that respondent performs the functions of a mill or otherwise manufactures or processes the fabrics or other products sold by it unless and until respondent owns, operates, or directly and absolutely controls the mill, factory, or manufacturing plant wherein said fabrics or other products are manufactured.

2. Misrepresenting in any manner that respondent has mills, factories, or manufacturing plants where its products are manufactured.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of the order to each of its operating divisions.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: October 10, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-13241; Filed, Nov. 5, 1969;
§:47 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Office of the Secretary, Department of Housing and Urban Development

MISCELLANEOUS AMENDMENTS TO TITLE

Title 24 is amended as follows:

PART 5—RENT SUPPLEMENT PAYMENTS

In § 5.15 paragraph (b) (4) is amended to read as follows:

§ 5.15 Eligible housing owner.

(b) * * *

(4) A nonprofit, limited distribution, or cooperative mortgagor under a mortgage insured pursuant to section 236 of the National Housing Act (or insured under section 233 of such Act pursuant to section 236(j) (1)) which is receiving interest reduction payments pursuant to section 236 of the Act and is approved for receiving the benefits provided in this part.

(Sec. 101(g), 79 Stat. 453; 12 U.S.C. 1701s)

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

Subpart A—Eligibility Requirements

Section 203.285 is amended to read as follows:

§ 203.285 Computation of adjusted premium.

(a) Where the principal obligation of any mortgage accepted for insurance is paid in full before the due date of the 120th scheduled monthly payment, without taking into account delinquent payments or prepayment, the mortgagee shall pay to the Commissioner an adjusted premium of 1 percent of the original principal amount of the prepaid mortgage, except as otherwise provided in this subpart.

(b) The adjusted premium shall be remitted to the Commissioner with the notice of prepayment. Payment shall be

made either in cash or debentures at par plus accrued interest.

Subpart B—Contract Rights and Obligations

In § 203.492 paragraph (b) is redesignated as paragraph (c) and a new paragraph (b) is added to read as follows:

§ 203.492 Assignments, pledges and transfers by approved lender.

(b) An assignment or transfer of an insured loan or group of insured loans may be made by an approved lender to other than an approved lender provided the requirements under paragraph (a) (1) and (2) are met and the following additional requirements are met:

(1) The assignee or transferee shall be a corporation, trust or organization (including but not limited to any pension trust or profit-sharing plan) which certifies to the approved lender that:

(i) It has assets of \$100,000 or more; and

(ii) It has lawful authority to hold an insured loan or group of insured loans.

(2) The assignment or transfer shall be made pursuant to an agreement under which the transferor or assignor is obligated to take one of the following alternate courses of action within one year from the date of the assignment or within such additional period of time as may be approved by the Commissioner:

(i) The transferor or assignor shall repurchase and accept a reassignment of such loan or group of loans.

(ii) The transferor or assignor shall obtain a sale and transfer of such loan or group of loans to an approved lender.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

SUBCHAPTER D—RENTAL HOUSING INSURANCE

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

In § 207.1 paragraph (h) is amended to read as follows:

§ 207.1 Application filing and required fee.

(h) *Transfer fee.* Upon application for approval of a transfer of physical assets or the substitution of mortgagors, a transfer fee of 50 cents per thousand dollars shall be paid on the original face amount of the mortgage in all cases, except that a transfer fee shall not be paid where both parties to the transfer transaction are nonprofit organizations.

In § 207.33 paragraph (h) is amended to read as follows:

§ 207.33 Eligibility of mortgages on trailer courts or parks for trailer coach mobile dwellings.

(h) At the time a mortgage is insured, the mortgagor shall have constructed and completed, or shall have rehabilitated and completed, pursuant to a commitment to insure upon completion, or shall be obligated to construct and complete, or to rehabilitate and complete pursuant to a commitment to insure advances, a trailer court or park, designed principally for rental use for trailers or mobile homes, and conforming to standards, specifications, plans and requirements satisfactory to the Commissioner.

Subpart B—Contract Rights and Obligations

In § 207.253 paragraph (a) (2) is amended to read as follows:

§ 207.253 Adjusted premium and termination charges.

(a) * * *

(2) Notice of the prepayment shall be given to the Commissioner, on a form prescribed by the Commissioner, within 30 days from the date of the prepayment. The adjusted premium shall be remitted to the Commissioner with the notice of prepayment. Payment shall be made either in cash or debentures at par plus accrued interest. The insurance contract shall terminate effective as of the date of the prepayment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

Subpart B—Contract Rights and Obligations—Projects

In § 213.262 paragraph (a) is amended by adding a new subparagraph (3) to read as follows:

§ 213.262 Termination of mortgage insurance—prepayment in full—management, purchasing cooperative, sales, and existing construction project mortgages.

(a) *Adjusted premium charge.* * * *

(3) The adjusted premium shall be remitted to the Commissioner with the notice or prepayment. Payment shall be made either in cash or debentures at par plus accrued interest.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

In § 221.510 paragraph (c) is amended to read as follows:

§ 221.510 Eligible mortgagors.

(c) *Limited distribution mortgagor.* The limited distribution mortgagor shall be a corporation, trust, partnership, association, other equity, or an individual. Such mortgagor shall be restricted by law (or by the Commissioner) as to distribution of income and shall be regulated as to rents, charges, rate of return, and methods of operation in such form and manner as is satisfactory to the Commissioner to effectuate the purposes of this subpart.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715l)

SUBCHAPTER J—MORTGAGE INSURANCE FOR NURSING HOMES

PART 232—NURSING HOMES MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

Section 232.13a is amended to read as follows:

§ 232.13a Transfer fee.

Upon application for approval of a transfer of physical assets or the substitution of mortgagors, a transfer fee of 50 cents per thousand dollars shall be paid on the original face amount of the mortgage in all cases, except that a transfer fee shall not be paid where both parties to the transfer transaction are nonprofit organizations.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 232, 73 Stat. 663; 12 U.S.C. 1715w)

SUBCHAPTER L—CONDOMINIUM HOUSING INSURANCE

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Individually Owned Units

In § 234.1 paragraph (k) is amended to read as follows:

§ 234.1 Definitions used in this subpart.

(k) "Multifamily project" means a project containing four or more family units.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 234, 75 Stat. 160; 12 U.S.C. 1715y)

SUBCHAPTER Q-1—MORTGAGE INSURANCE FOR NONPROFIT HOSPITALS

PART 242—NONPROFIT HOSPITALS

In Part 242, Subpart A in the Table of Contents, § 242.15 is deleted.

Subpart A—Eligibility Requirements

In Part 242, Subpart A, § 242.15 is deleted as follows:

§ 242.15 Transfer fee. [Deleted]

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 242, 82 Stat. 5999; 12 U.S.C. 1715z-7)

SUBCHAPTER N—PROJECTS FOR LOWER INCOME FAMILIES

PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS

Subpart A—Eligibility Requirements for Mortgage Insurance

In § 236.10 paragraph (c) is amended to read as follows:

§ 236.10 Eligible mortgagors.

(c) *Limited distribution mortgagor.* The limited distribution mortgagor shall be a corporation, trust, partnership, association, other entity, or an individual. Such mortgagor shall be restricted by law (or by the Commissioner) as to distribution of income and shall be regulated as to rents, charges, rate of return, and methods of operation in such form and manner as is satisfactory to the Commissioner to effectuate the purposes of this subpart.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 236, 82 Stat. 498; 12 U.S.C. 1715z-1)

SUBCHAPTER V—LAND DEVELOPMENT INSURANCE

PART 1000—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

Section 1000.20 is amended to read as follows:

§ 1000.20 Transfer fee.

Upon application for approval of a transfer of physical assets or the substitution of mortgagors, a transfer fee of 50 cents per thousand dollars shall be paid on the original face amount of the mortgage in all cases, except that a transfer fee shall not be paid where both parties to the transfer transaction are nonprofit organization.

(Sec. 1010, 79 Stat. 464; 12 U.S.C. 1749j)

Issued at Washington, D.C., October 31, 1969.

EUGENE A. GULLEDGE,
Federal Housing Commissioner.

[F.R. Doc. 69-13242; Filed, Nov. 5, 1969; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

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

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

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Sport fishing on the Lacreek National Wildlife Refuge, Martin, S. Dak., is permitted only on the Little White River Recreational Area and a portion of Waterfowl Management Unit 10, which are designated by signs as open to fishing. These open areas, comprising a total of 710 acres, are delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the Little White River Recreational Area extends from January 1, through December 31, 1970, inclusive; daylight hours only.

(2) The open season for sport fishing on the Waterfowl Management Unit No. 10 extends from December 15, 1969, through March 15, 1970, inclusive; daylight hours only.

(3) The use of motorized vehicles on ice is prohibited.

(4) Opening and closing dates will be subject to ice conditions.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through December 31, 1970.

VICTOR M. HALL,
Refuge Manager, Lacreek National Wildlife Refuge, Martin, S. Dak. 57551.

OCTOBER 16, 1969.

[F.R. Doc. 69-13223; Filed, Nov. 5, 1969; 8:46 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

PART 225—ACCEPTANCE OF BONDS, NOTES, OR OTHER OBLIGATIONS ISSUED OR GUARANTEED BY THE UNITED STATES AS SECURITY IN LIEU OF SURETY OR SURETIES ON PENAL BONDS

The Department of the Treasury finds it necessary further to amend, pursuant to 5 U.S.C. 15, its regulations at 31 CFR Part 225 (also appearing as Treasury Department Circular No. 154) which govern the acceptance of Treasury securities in lieu of surety or sureties on penal bonds in order to delete an uncurrent office title designation; to replace obsolete statutory references and descriptions with current references and descriptions;

to update a reference to Department Circular No. 154, and to revoke two obsolete sections. The Department also finds, in accord with 5 U.S.C. 553, that notice and public procedure thereon are not necessary since the amendments involve rules of agency procedure.

Accordingly, Part 225, Subchapter A, Chapter II of Title 31 of the Code of Federal Regulations is amended in the following ways:

1. Footnote No. 1 is amended by deleting the phrase "Surety Bonds Branch" therefrom.

2. Section 225.12 is amended by revising the section heading and the text of the second sentence, and by dividing the existing section into three paragraphs. As amended the entire § 225.12 reads:

§ 225.12 Return to obligor of security.

(a) *Generally.* As soon as security for the performance of the penal bond is no longer necessary, the bonds or notes deposited in lieu of surety or sureties on such penal bond, together with the power of attorney and agreement accompanying such bonds or notes, shall be returned to the obligor by the bond-approving officer, without application therefor from the obligor. The determination of the question whether security is any longer necessary for the performance of the penal bond shall rest with the bond-approving officer.

(b) *Miller Act payment bonds.* If a person who supplied labor or material to a contractor, required by the Miller Act, as amended (40 U.S.C. 270a-d), to give a payment bond to the United States, files with the Comptroller General the application and affidavit provided for in that Act after a default in the performance of a contract covered by that Act, the bond-approving officer shall not return to the contractor-obligor the deposited bonds, notes or any surplus proceeds thereof until the expiration of the time within which such a person may commence suit on the payment bond as provided in the Act, i.e., 1 year after the day on which the last of the labor was performed or material supplied by that person. If suit is instituted within that time, the bond-approving officer shall hold such bonds, notes or proceeds subject to the order of the court having jurisdiction of the suit. If suit is not instituted within that time but the bond-approving officer is on notice of a claim against the contractor-obligor on the basis of his payment bond, the bond-approving officer shall determine the time at which, and the evidence of settlement of the claim upon which, he will release the bonds, notes or proceeds.

(c) *Claim of United States unaffected.* Nothing in this section shall affect or impair the priority of any claim of the United States against bonds or notes deposited, or any right or remedy granted by the Miller Act or by this part to the United States for default upon any obligation of a penal bond.

3. Section 225.16 is amended by deleting "Treasury Department Circular No. 154, dated February 6, 1935" from the

statement form set forth and substituting therefor "31 CFR Part 225".

4. Section 225.18 is revoked since its subject matter is now covered by § 25.14, Chapter I, Title 19 of the Code of Federal Regulations.

5. Section 225.19 is revoked since its subject matter is now covered in Subchapter E and § 301.7101, Chapter I, Title 26 of the Code of Federal Regulations.

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

Dated: October 31, 1969.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 69-13249; Filed, Nov. 5, 1969; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-1—GENERAL

Records Retention Requirements Under Small Business Subcontracting Program Clause and Labor Surplus Area Subcontracting Program Clause

This amendment establishes a retention period of 1 year from the date of award of applicable contracts during which period certain records must be maintained by Government contractors pursuant to the Small Business Subcontracting Program clause and the Labor Surplus Area Subcontracting Program clause.

Subpart 1-1.7—Small Business Concerns

Section 1-1.710-3(b) is amended by the revision of paragraph (a) (4) of the clause contained therein, as follows:

§ 1-1.710-3 Required clauses.

(b) * * *

SMALL BUSINESS SUBCONTRACTING PROGRAM

(a) * * *

(4) Maintain records showing (i) whether each prospective subcontractor is a small business concern, (ii) procedures which have been adopted to comply with the policies set forth in this clause, and (iii) with respect to the letting of any subcontract (including purchase orders) exceeding \$10,000, information substantially as follows:

(A) Whether the award went to large or small business.

(B) Whether less than three or more than two small business firms were solicited.

(C) The reason for nonsolicitation of small business if such was the case.

(D) The reason for small business failure to receive the award if such was the case when small business was solicited.

The records maintained in accordance with (iii) above may be in such form as the Contractor may determine, and the information shall be summarized quarterly and submitted by the purchasing department of each individual plant or division to the Contractor's cognizant small business liaison officer. Such quarterly summaries will be considered to be management records only and need not be submitted routinely to the Government; however, records maintained pursuant to this clause will be kept available for review by the Government until the expiration of 1 year after the award of this contract, or for such longer period as may be required by any other clause of this contract or by applicable law or regulation.

[End of Clause]

Subpart 1-1.8—Labor Surplus Area Concerns

Section 1-1.805-3(b) is amended by the revision of paragraph (a) (4) of the clause contained therein, as follows:

§ 1-1.805-3 Required clauses.

(b) * * *

LABOR SURPLUS AREA SUBCONTRACTING PROGRAM

(a) * * *

(4) Maintain records showing procedures which have been adopted to comply with the policies set forth in this clause. Records maintained pursuant to this clause will be kept available for review by the Government until the expiration of 1 year after the award of this contract, or for such longer period as may be required by any other clause of this contract or by applicable law or regulations; and

[End of Clause]

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

Effective date. This amendment is effective December 1, 1969.

Dated: October 30, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69-13221; Filed, Nov. 5, 1969; 8:45 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER D—PUBLIC BUILDINGS AND SPACE

PART 101-19—MANAGEMENT OF BUILDINGS AND GROUNDS

Changes in Rules and Regulations Governing Public Buildings and Grounds

Subpart 101-19.3 is amended to state more specifically the rules governing disruptive occurrences in and near Federal buildings and to assign to the occupant agency affected the initial responsibility for coordinating the rules against disturbances. The action and presence of individuals in varying numbers in and about the premises of Government administrative offices interrupts and impedes the normal administrative governmental functions.

The table of contents for Part 101-19 is changed by revising the titles of §§ 101-19.300, 101-19.304, 101-19.306, and 101-

19.307 and by adding new § 101-19.307a as follows:

Sec.

- 101-19.300 Applicability.
- 101-19.304 Disturbances.
- 101-19.306 Alcoholic beverages and narcotics.
- 101-19.307 Soliciting, vending, and debt collection.
- 101-19.307a Distribution of handbills.

Subpart 101-19.3—Conduct on Federal Property

Sections 101-19.300, 101-19.302, 101-19.304, 101-19.306, 101-19.307, and 101-19.308 are revised and new § 101-19.307a is added, as follows:

§ 101-19.300 Applicability.

These rules and regulations apply to all Federal property under the charge and control of the General Services Administration and to all persons entering in or on such property. Each occupant agency shall be responsible for the observance of these rules and regulations.

§ 101-19.302 Preservation of property.

The improper disposal of rubbish on property; the spitting on property; the creation of any hazard on property to persons or things; the throwing of articles of any kind from a building; the climbing upon the roof or any part of the building; or the willful destruction, damage, or removal of property or any part thereof, is prohibited.

§ 101-19.304 Disturbances.

The disorderly conduct on property, or conduct on property which creates loud and unusual noise, or which obstructs the usual use of entrances, foyers, corridors, offices, elevators, stairways, and parking lots, or which otherwise tends to impede or disturb the public employees in the performance of their duties, or which otherwise impedes or disturbs the general public from obtaining the administrative services provided on property, is prohibited. The occupant agency involved in a disturbance shall have the initial responsibility for coordinating the observance of this rule by the public.

§ 101-19.306 Alcoholic beverages and narcotics.

The entering on property or the operating of a motor vehicle on property, by a person under the influence of alcoholic beverage or narcotic drug is prohibited. The use of any narcotic drug on property is prohibited. The use of alcoholic beverage on property is prohibited except on occasions and on property upon which the Administrator of General Services has for appropriate official uses granted an exemption permit in writing.

§ 101-19.307 Soliciting, vending, and debt collection.

The soliciting of alms and contributions, commercial soliciting and vending of all kinds, the display or distribution of commercial advertising, or the collecting of private debts, in or on property, is prohibited. This rule does not apply to national or local drives for funds for welfare, health, and other purposes sponsored or approved by the occupant agen-

cies concessions, or personal notices posted by employees on authorized bulletin boards.

§ 101-19.307a Distribution of handbills.

The distribution of material such as pamphlets, handbills, and flyers, is prohibited without prior approval of an authorized official of the agency occupying the space where the material is to be distributed.

§ 101-19.308 Photographs for news, advertising, or commercial purposes.

Photographs for news, advertising, or commercial purposes may be taken in space occupied by a tenant agency only with the consent of the occupying agency concerned. Except where security regulations apply, or a Federal court order or rule prohibits it, photographs for news purposes may be taken in entrances, lobbies, foyers, corridors, or auditoriums when used for public meetings. Subject to the foregoing prohibitions, photographs for advertising and commercial purposes may be taken only with written permission of an authorized official of the agency occupying the space where the photographs are to be taken.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); and 40 U.S.C. 318)

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

Dated: November 5, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69-13310; Filed, Nov. 5, 1969; 10:10 a.m.]

Title 45—PUBLIC WELFARE

Chapter VIII—U.S. Civil Service Commission

PART 801—VOTING RIGHTS PROGRAM

Appendix A: Alabama

Appendix A to Part 801 is amended as set out below to show, under the heading "Dates, Times, and Places for Filing," a change in the place for filing in Jefferson County, Ala.:

ALABAMA

County; Place for Filing; Beginning date.

Montgomery: (1) Montgomery—Post Office and Courthouse Building, corner of Church, Lee, and Moulton Streets, Rooms 332, 334, 336; October 6, 1965, to November 6, 1969; (2) Montgomery—Aronov Building, 474 South Court Street, Room 132; November 7, 1969; (3) Mount Meigs—trailer at U.S. Post Office, intersection of U.S. Highway 80 and Pike Road; February 26, 1966.

(Secs. 7 and 9 of the Voting Rights Act of 1965; Public Law 89-110)

UNITED STATES CIVIL SERVICE COMMISSION,

JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-13309; Filed, Nov. 5, 1969; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 966]

[Docket No. AO-265-A2]

TOMATOES GROWN IN FLORIDA

Decision With Respect to Proposed Amendment of Marketing Agreement and Order; and Referendum Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674) and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR 900), a public hearing was held in Orlando, Fla., June 30, 1969. The notice thereof was published in the FEDERAL REGISTER on June 14, 1969 (34 F.R. 9393) upon a proposed amendment to Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966), hereinafter collectively referred to as the "order," regulating the handling of tomatoes grown in the Florida production area.

On the basis of evidence introduced at the hearing and the record thereof, a recommended decision in this proceeding was filed on September 16, 1969, with the Hearing Clerk, U.S. Department of Agriculture. The notice of the filing of such recommended decision, allowing 15 days to file written exception thereto, was published in the FEDERAL REGISTER September 20, 1969 (34 F.R. 14653).

Material issues, findings and conclusions, rulings, and general findings. The material issues, findings and conclusions, rulings, and the general findings of the recommended decision set forth in the FEDERAL REGISTER (34 F.R. 14653) are hereby approved and adopted as hereinafter modified, and are set forth in full herein.

Material issues. The material issues presented on the record of hearing are as follows:

(1) The amendment of § 966.7, *Handle*, to extend its applicability so as to authorize regulation of shipments of tomatoes within the regulated area;

(2) The amendment of § 966.12, *Maturity*, to provide for determination of the degree of ripeness of each lot of tomatoes at the time of inspection; and the amendment of § 966.60, *Inspection and certification*, to delete the reinspection requirement for regraded, resorted or repacked tomatoes if the identity of the inspected lot can be maintained;

(3) The amendment of § 966.18 *Export*, to mean the shipment of tomatoes beyond the boundaries of the 48 contiguous States of the United States, to clear up an ambiguity which exists in the present definition and to include Alaska;

(4) The amendment of the authority to regulate containers, in § 966.52, by adding "markings," including labels and stamps; and

(5) The amendment of such other sections as are necessary to conform the present order to the proposed amendments.

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

(1) The term "handle," as defined in the present order, as amended, is synonymous with "ship" and means to sell, transport or in any other way to place fresh tomatoes, produced in the production area, in the current of commerce between the regulation area and any point outside thereof in the United States, Canada, or Mexico.

The proposed amendment of this section would add authority to regulate shipments within the regulated area, if the Committee so recommends, in addition to the present authority for regulating shipments moving out of the area.

The proposed new definition would exclude "field-run" tomatoes delivered or sold to a "registered handler" by the producer of the tomatoes for grading and packing within the production area, from the definition "handle."

The proposed new definition also would change the phrase "regulation area" to read "regulated area" for clarification, and it would delete the phrase "in the United States, Canada, or Mexico" from the end of the definition.

These are the important changes in the proposed new definition, all of which were well supported in the record for the purpose of improving the administration and operation of the order.

The term "regulated area" has the same meaning as "regulation area" in the present order. It is defined in the present order to mean "that portion of the State of Florida which is bounded by the Suwannee River, the Georgia border, the Atlantic Ocean, and the Gulf of Mexico." No change is proposed in the meaning of the phrase, as the geographic boundaries of the regulated area remain the same as the boundaries of the regulation area.

For information purposes, the regulated area encompasses the same territory as the production area did when the order was first made effective at which time there were five districts. The present order, as amended, has four districts in the production area, as former District No. 5 in North Florida was deleted. So the regulated area includes all of the production area, Districts 1 through 4, plus former District No. 5 which is no longer in the production area but which is included in the regulated area only for purposes of compliance.

According to the record evidence, over five million people live in the State of Florida and a good majority of them live within the regulated area. They comprise an important segment of the consuming public and a substantial market for tomatoes, especially Florida grown tomatoes.

The market within the regulated area should be protected, when necessary, against the sale of poor quality and under-sized tomatoes the same as markets outside the regulated area. The practice of selling below grade and below size tomatoes, that is, tomatoes which do not meet the grade or size requirements of the marketing order regulations, within the regulated area depresses prices for the better quality and preferred sizes of tomatoes. In addition, sales of restricted tomatoes often return little or nothing to the producer.

During the 1968-69 marketing season, shipments of tomatoes out of the regulated area were restricted as to grade, size, pack and maturity. However, tomatoes shipped within the regulated area were not restricted. As a result, below grade and below size tomatoes were permitted to move freely within the regulated area. The handling of these tomatoes resulted in the regulated area becoming a dumping ground for restricted grades and sizes of tomatoes and caused a depressing effect upon the tomato market.

With no limitations on movement within the regulated area, restricted tomatoes moved freely from packing houses and fields, from one town to another and from one county to another. Sometimes these restricted grades and sizes of tomatoes found their way into channels of commerce to points outside the regulated area.

A trucker, for example, could obtain a load of restricted tomatoes and state that he was selling them within the regulated area. Some of these truckers were able to bypass the road guard stations and sell such tomatoes outside the regulated area. This added to the enforcement problems.

Tomatoes below permitted grades and sizes compete with preferred grades and sizes. To sell, they must be discounted. Since they also increase the supply, lower prices are offered for good quality tomatoes. The result is a lower price to producer for all tomatoes and the producers probably receive little or no returns for the restricted grades and sizes.

Modern methods of rapid communication enable tomato buyers and sellers to be in close touch with one another. When markets are generally overloaded with tomatoes at the receiving points, prices decline and supplies of tomatoes back up resulting in a surplus at shipping points and a weakening of prices. Conversely, reductions in supplies of tomatoes at shipping points, due to weather

or other conditions, are quickly reflected in receiving markets by a strengthening of prices for tomatoes. Prices at shipping points and at terminal markets tend to be closely related because factors affecting supplies at shipping points are soon known and reflected in prices at terminal markets and the reverse is also the case.

Production area tomatoes that are shipped to a market within the regulated area are sometimes diverted to markets outside the regulated area and even outside the State. On very short notice, a shipper can, and often does, divert tomatoes moving to a particular market to some other market and it is not always known at the time of shipment whether the tomatoes will be marketed within the regulated area or outside of it.

The price of tomatoes handled for marketing within the regulated area has a direct effect on the price of tomatoes sold in the terminal markets. In fact, all handling of tomatoes, including handling within the State, or in the regulated area, directly affects the handling of tomatoes in interstate commerce.

Because of the interdependence of markets and the effect on all markets of any sale and shipment of tomatoes, whether for distribution within the regulated area or outside thereof, it is found that all handling, as described herein, is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce. Hence, all movement and sale of tomatoes grown in the production area, whether for distribution within the regulated area or for shipment outside thereof, should be subject to the authority of the act and to the order as herein proposed to be amended.

The record indicates that during normal production and marketing seasons shipments within the regulated area as well as shipments to destinations outside thereof should be regulated. There is authority in the order, however, to regulate differently for different markets. There may be times when marketing conditions would make it economically desirable to regulate differently for the market within the regulated area than for markets outside or even to have no regulations for shipments within the regulated area if the committee so recommends and the Secretary approves.

Under the present order, the growing and harvesting of tomatoes are producer functions and should continue to be construed as operations of the producer in his capacity as a producer.

Growers who sell tomatoes from the field, however, are performing a handler function and should be held responsible for compliance with the handling regulations issued pursuant to the order.

Similarly, growers who transport tomatoes to market are performing a handling function and they too are responsible for compliance with the handling regulations issued under the order.

The most common practice in the production area, however, is for the grower to produce and harvest the tomatoes and then to sell, transport, or deliver them to a packinghouse in the production area for grading, packaging, and marketing.

Under the present order there is a rule and procedure for registering handlers with the committee. The rule provides that any handler who has adequate facilities in the production area for grading and packing tomatoes may be registered by the committee as a registered handler. When registered, he must assume the responsibility for compliance with the quality, inspection, assessment and other requirements of the order.

The transportation, sale or delivery of field-run tomatoes, therefore, by a producer of such tomatoes to a registered handler within the production area for grading and packing should be excepted from the definition of "handle." Such tomatoes have not yet been prepared for market nor are they in their existing condition being transported to market and most sellers and buyers do not consider them as yet suitable or appropriate for commercial transactions. Accordingly, the definition of "Handle" should be amended to reflect the procedure of registering handlers.

With the exception of the activities which are specifically excluded from the definition of the term handle, all activities, from the time the tomatoes grown in the production area are harvested until they are offered for retail sale, are included in the process of handling. The definition of handle should not include the producing functions nor the sale of tomatoes at retail by a person in his capacity as a retailer as these are excluded under the act.

It is concluded, therefore, that the definition of "handle" should be amended as hereinafter set forth and that such amendment will tend to effectuate the declared policy of the Act.

(2) The term "maturity," as defined in the present order, means the various degrees of ripeness for tomatoes as established by the committee with approval of the Secretary.

The U.S. Standards for Grades of Fresh Tomatoes (§§ 51.1855-51.1877 of this title), which are part of the record evidence, contain a section on color classification (§ 51.1864) specifying six different stages of maturity as determined by color, with a description of each.

The record indicates that the Federal-State inspectors can certify the degree of ripeness of tomatoes at the time the inspection is performed in accordance with the color classifications in the U.S. Standards for Grades of Fresh Tomatoes, or as such standards are modified by the regulations. The inspector will indicate on the inspection certificate the pertinent information with respect to color and the degree of ripeness of the tomatoes at the time inspection is performed.

It is concluded, therefore, that the definition of "maturity" should be amended to clearly specify that the maturity of each lot of tomatoes shall be determined at the time the tomatoes are inspected.

The record indicates that during the 1968-69 marketing season, when the regulation specified a larger minimum size for ripe tomatoes than for mature greens, repackers within the regulation area were at a comparative disadvantage

with repackers outside the regulation area. If they bought mature green tomatoes of the permitted sizes, ripened them in their ripening rooms and repacked them as had been their practice, they could not ship the smaller sizes to their customers outside the regulation area. Otherwise, they would have been in violation of the size requirement for ripe tomatoes. Their competitors outside the regulation area could do this. Tomato repackers in the regulation area were prevented from carrying out their customary commercial practices by the provision in § 966.60, *Inspection and certification*, which requires a second inspection on any lot of tomatoes which had been previously inspected but has been regraded, resorted, or repacked.

About the only tomatoes which have been regraded, resorted, and repacked, are those tomatoes which were shipped to repackers within the regulation area. The repackers in the regulation area receive mature green tomatoes and hold them in their ripening rooms until they are ready for repackaging. They resort, regrade, and repackage them and deliver them to their customers.

It was testified that it should not normally be necessary to require more than one inspection and certification of the tomatoes if the committee and the Secretary of Agriculture can be assured that all tomatoes handled by the repacker have been inspected and certified as meeting the requirements of the regulations which are in effect. Such inspection and certification is usually performed before the tomatoes are delivered to the repacker's plant. If, however, they have not been inspected and accompanied by an inspection certificate, then they must be inspected at the Florida repacking plant.

In order to provide assurance to the committee and the Secretary of Agriculture that all tomatoes handled have been inspected and certified, and that the regulations are being complied with, the committee should establish adequate safeguard rules which will be required of repackers. Such safeguards should include the requirement that complete records will have to be maintained by each repacker and reports shall be made by him to the committee on the quantities, sizes, qualities, and maturities of tomatoes received by him and of the quantities, sizes, qualities, and maturities of tomatoes disposed of by him. Such reports shall be submitted on a weekly or other basis as required by the committee and/or the Secretary pursuant to § 966.80, *Reports*.

It is concluded, therefore, that paragraph (b) of § 966.60, *Inspection and certification*, should be deleted, and paragraphs (c) and (d) should be redesignated as paragraphs (b) and (c), so that the revised § 966.60 will read as hereinafter set forth.

(3) The definition of "Export," § 966.18, in the present order, conflicts to a certain extent with the wording in the definition of "handle" with respect to destinations outside the United States.

The record indicates that both of these definitions should be revised to clarify

the meaning intended. By deleting reference to Canada and Mexico from the definition of handle, as proposed herein, shipments to Canada and Mexico would be considered as export markets. Also, by revising the definition of "Export" as proposed herein, to mean the shipment of tomatoes beyond the boundaries of the 48 contiguous States (including the District of Columbia) of the United States, Alaska would be considered an export market. The proposed new definition would permit the same regulations which would apply to shipments of tomatoes to Canada to apply to shipments to Alaska.

Most export markets, such as European Countries, Mexico and Canada, normally use smaller sizes of tomatoes than are preferred by consumers within the 48 States. Also, the Alaska market may be considered in this group. It is quite possible that the committee will find it desirable at times to recommend smaller sizes to move into the export market, especially since such shipments would not have a detrimental effect on the domestic market.

At the present time, export shipments of tomatoes are comparatively small. However, in the future, it is possible that export markets may become a big factor and the authority of the committee to recommend, and the Secretary to issue, different regulations for such export markets is both necessary and desirable.

The definition of the term "Export" should, therefore, be amended accordingly, so that it will clearly show that shipments beyond the 48 contiguous States of the United States may be considered as export shipments and hence may be subject to different regulations than those which are made applicable to the domestic market.

(4) An amendment to add "markings," including labels and stamps, to the authority already included in the order for regulating containers, was also proposed by the proponents.

The record shows that there has been a practice among some handlers of Florida tomatoes of packing tomatoes in used containers which have markings already on them and which may not correspond to the grade, size, quality, pack, or maturity of the tomatoes packed in these used containers. Such a practice is contrary to the provisions of the Perishable Agricultural Commodities Act and the Food, Drug, and Cosmetic Act. It should not, therefore, work a hardship on handlers if the committee were to recommend, and the Secretary were to issue regulations requiring that old markings on containers be obliterated if they do not correspond to what is actually in the container; also, to require markings, including labels or stamps, to be placed on containers to correspond to the grade, size, quality, pack, or maturity of the tomatoes packed in such containers. This is good commercial practice and would help promote more orderly marketing. It would also help to solve some of the compliance problems with respect to production area tomatoes.

Authority to require markings, upon committee recommendations with the approval of the Secretary, should also benefit distributors and producers, in that distributors would know what they are purchasing in the way of grade, size, maturity, or pack. Each quality and size would be identifiable and sell for what it is.

Authority to regulate markings (including labels and stamps) is considered by the proponents to be incidental to, and not inconsistent with, the grade, size, quality, maturity, pack, and container provisions already authorized under this marketing order program and the record shows that such additional authority is necessary to properly effectuate these provisions.

It is concluded that paragraph (d) of § 966.52, *Issuance of regulations*, should be amended as hereinafter set forth.

(5) Conforming changes are necessary in § 966.4, *Production area and regulation area*, to change the phrase "regulation area" to read "regulated area."

As set forth in item (1), under the findings for the proposed amendment of "handle," it was stated that "regulation area" should be changed to read "regulated area." Such a change would not alter the meaning in any way but would simply be made to facilitate the understanding of the phrase. Therefore, such conforming changes should be made in two places in § 966.4 to read as hereinafter set forth.

No evidence was presented by the proponents in support of the proposal which appeared in the notice of hearing to establish a new section titled "Shippers Advisory Committee." Therefore, no action is being taken on this proposal in this proceeding.

Rulings on proposed findings and conclusions. The Hearing Examiner set August 4, 1969, as the final date for filing briefs with respect to the matters involved at the hearing. No briefs were filed. However, a motion was filed by counsel for William Wright, Inc., Walter Holm & Co., and West Coast Vegetable Distributors Association of Nogales, Ariz. In said motion counsel states that the Arizona importers of Mexican tomatoes which he represents had intended to participate in the hearing under the belief that they might be affected by any amendment of the tomato order resulting from the hearing by reason of section 608e-1 of the Agricultural Marketing Agreement Act of 1937, as amended. However, the Hearing Examiner ruled that they were not interested parties to the proceeding and, therefore, would not be allowed to present testimony or cross-examine witnesses. Counsel, therefore, moved that the Secretary quash the proceeding and exempt the parties he represents and all others similarly situated from the effects of any amendments resulting from this hearing.

In order to be in a better position to rule on this motion the Department on August 15, 1969, sent a letter to said counsel requesting additional information relating to his clients' interest in the hearing. In said letter it was requested that he specify which of the proposed

amendments contained in the notice of hearing his clients had desired to present testimony on, and to provide a summary statement of the facts and information they proposed to elicit by testimony and by the cross-examination of witnesses. A reply was requested on or before August 25, 1969.

A reply dated August 25, 1969, was received from counsel in which he commented solely on the 10 days provided in which to reply and stated:

We find that we are unable to comply with your request during such a short period. As you can understand, it is very difficult to figure out what a witness might have said if he had been cross-examined when the cross-examination was prohibited.

However, the Department's letter requested facts and information pertaining to the direct testimony the Arizona importers would have presented as well as facts and information they proposed to elicit by cross-examination of witnesses. Since such importers appeared at the hearing intending to participate therein, they were obviously aware of any facts and information they desired to present by way of direct testimony.

In any event, the proposed amendments to the Florida Tomato Marketing Order which were the subject of the hearing were not of the type which, if adopted, would have an effect on regulations issued under section 608e-1 of the Act pertaining to the importation of tomatoes. Section 608e-1 of the Act provides that whenever a marketing order contains any terms or conditions regulating the grade, size, quality, or maturity of tomatoes and other specified commodities produced in the United States, the importation into the United States of any such commodity shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of such order. As previously indicated, the proposed amendments to the Florida tomato order which were under consideration at the hearing were concerned with:

(1) Amending the order to provide for the regulation of tomatoes grown in the production area and marketed within the regulated area within the State of Florida. Under the terms of the present order such tomatoes marketed within the regulated area are not subject to the marketing order controls;

(2) Amending the Florida order to delete their requirement for reinspection of Florida grown tomatoes after they have been regraded, resorted or repacked within the regulated area provided that the identity of the tomatoes involved in the original inspection can be maintained with respect to such inspection. Thus, the maturity of the tomatoes would be determined at the time of the original inspection; and

(3) Other proposed amendments related to the redefinition of the term "export" to mean shipments of Florida tomatoes beyond the boundaries of the 48 contiguous States of the United States; and amending the authority to regulate containers of Florida tomatoes by adding to that provision the word "markings."

A further amendment to provide for a shippers advisory committee was not supported at the hearing and no action thereon is taken in this decision.

Clearly the issues under consideration at the hearing and the amendments herein proposed would not and do not involve the substance of the grade, size, quality, and maturity provisions of the Order in a way which would affect regulations pertaining to the importation of Mexican tomatoes. Accordingly, the motion filed by the Arizona Importers of Mexican tomatoes is denied and the Hearing Examiner's ruling relating to their participation in the hearing is upheld.

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

(1) The amended marketing agreement and order, as both are hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

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

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

(4) The amended marketing agreement and order, as both are hereby proposed to be amended, prescribe, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to the differences in the production and marketing of tomatoes grown in the production area; and

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

Rulings on exceptions. Within the period provided therefor, exceptions to the proposed amendment, together with a request to the Secretary of Agriculture for an opportunity to present oral argument thereon, were filed by Charles E. Davis, attorney for Walter Holm & Co., William Wright, Inc., and West Coast Vegetable Distributors Association of Nogales, Ariz.

Exception was taken by counsel for said opponents to each subsection of the material issues, the findings and conclusions, the rulings on proposed findings and conclusions, the general findings, and the recommended amendments to the marketing agreement and order.

Counsel stated that the proposed amendment would give an undue advantage to the Florida Tomato Committee

and this would probably result in additional impairment or restrictions on tomatoes imported into the United States. Also, counsel pointed out that under section 608e-1 of the Act the same grade, size, quality, and maturity regulations which are applied to domestic tomatoes under a marketing order are mandatorily applied to imported tomatoes. In view of this the exceptors requested that inspection be provided to Mexican tomatoes in the production areas of Mexico claiming that this would result in the same or comparable treatment for both domestic and Mexican grown tomatoes.

As previously stated herein, this amendatory proceeding is confined to limited amendment of certain provisions of the Florida tomato marketing agreement and order and does not deal with import regulations. Procedures for the inspection of tomatoes imported from Mexico are, therefore, not properly in issue in this proceeding nor could the Florida order program be amended to provide for inspection of Mexican tomatoes in the production area of Mexico as suggested by the exceptors.¹

It is noted, however, that the current practice of inspecting Mexican tomatoes at the port of entry into the United States is within the purview of 7 U.S.C. 608e-1 and that the proposed limited amendment of the Florida tomato order is fully consistent therewith.

As contemplated by section 608e-1, imports of tomatoes become subject to regulation at the time and place of importation, which is at the port of entry into the United States. This is the first point at which the regulatory jurisdiction of the United States attaches to imported tomatoes. In the case of Florida tomatoes, the marketing agreement and order, as proposed to be amended, similarly fixes the basic point of inspection to ascertain grade, size, quality, and maturity at the time and place of the first handling of the commodity. Thus, both with respect to imports and domestic production, the grade, size, quality, and maturity of the tomatoes is to be ascertained at the time of the first handling subject to regulation under the statute or order.

There is nothing inherently unlawful, arbitrary, or capricious in providing, as to imported tomatoes, that an inspection conducted at the port of entry is to govern determination as to grade, size, quality, and maturity of the tomatoes then being imported. This is the first point at which the tomatoes come within the regulatory jurisdiction of the United States under 7 U.S.C. 608e-1, and is a practicable and logical point for determining, under 7 U.S.C. 608e-1, that the grade, size, quality, and maturity of the tomatoes being imported meet the requirements of the act.

Further, the current practice of inspecting Mexican tomatoes at the port of entry into the United States results

¹ Notice of proposed rule making concerning procedures, etc., for importing tomatoes, pursuant to 7 U.S.C. 608e-1, was published in the FEDERAL REGISTER on Oct. 16, 1969, 34 F.R. 16548.

in comparable treatment in that there is no requirement for another inspection if after importation the tomatoes are regraded, resorted, or repacked. After the tomatoes are picked in the Mexican production area, they are packed in containers of various sizes and transported to ports of entry at the Mexican-United States border. They are inspected at that point prior to entry into the United States to determine whether they meet the requirements applicable to either mature green or ripe tomatoes. If the inspection reveals that the tomatoes meet the applicable requirements then they are allowed to enter the United States. Mature greens so imported can be ripened, regraded, resorted, and repacked and treated in a similar manner to tomatoes grown in the Florida production area. Imported Mexican tomatoes, like those grown in Florida and shipped to repacking plants outside the regulated area of the State of Florida, are no longer subject to any marketing order or section 608e-1 restrictions. It was noted earlier in this decision that the requirement for an additional inspection applies only to Florida grown tomatoes which are repacked within the regulated area in the State of Florida prior to handling. Accordingly, tomatoes imported from Mexico are treated in substantially the same manner as tomatoes shipped from the Florida production area to repacking plants located outside the State of Florida regulated area.

Each of the points included in the exceptions was fully and carefully considered along with the evidence in the record, the findings thereon and the conclusions herein set forth. To the extent that any suggested findings or conclusions contained in the exceptions are inconsistent with the findings and conclusions contained herein they are denied on the basis of the facts found and stated in the decision.

With respect to counsel's request for oral argument the Rules of Practice and Procedure Governing Proceedings to Formulate Marketing Agreements and Marketing Orders (7 CFR Part 900) do not provide for oral argument on exceptions. Accordingly this request is also denied.

Amendment of the amended marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement as Amended Regulating the Handling of Tomatoes Grown in Florida" and "Order Amending the Order as Amended Regulating the Handling of Tomatoes Grown in Florida" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Referendum order. Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674) it is hereby directed that a referendum be conducted among the producers who during the

period August 1, 1968, through July 31, 1969 (which is hereby determined to be a representative period for the purpose of such referendum), have been engaged within the production area as defined in the order, in the production of tomatoes for market, to determine whether such producers favor the issuance of the annexed order.

Minard F. Miller and Donald S. Kuryloski of the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, are hereby designated referendum agents of the Secretary of Agriculture to conduct said referendum severally or jointly.

The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (7 CFR 900.400 et seq.).

The ballots used in such referendum shall contain a summary of the proposed amendment to be voted on.

Copies of the aforesaid annexed order and of the aforesaid referendum procedure may be examined in the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Ballots to be cast in the referendum, and other necessary forms and instructions, may be obtained from the referendum agent or any appointee or at any county agent's office within the aforesaid production area.

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

Signed at Washington, D.C., on November 3, 1969.

RICHARD E. LYNG,
Assistant Secretary.

Order Amending the Order, as Amended,
Regulating the Handling of Tomatoes Grown in Florida

§ 966.0 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.

* 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.

(a) *Findings.* A public hearing was held upon certain proposed amendments to the marketing agreement and to the order, both as amended, regulating the handling of tomatoes grown in the Florida production area. The hearing was held at Orlando, Fla., on June 30, 1969, 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 (7 CFR Part 900).

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

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

(2) The said order, as amended, and as hereby further amended, regulates the handling of tomatoes grown in the production area in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing order upon which hearings have been held;

(3) The said order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area that is practicable, consistent with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the Act;

(4) The said order, as amended, and as further amended, prescribes, so far as practicable, such different terms, applicable to the different stages of maturity, as are necessary to give due recognition to the differences in the production and marketing of tomatoes grown in the production area; and

(5) All handling of tomatoes grown in the production area, as defined in said order, as amended, and as hereby further amended, is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

It is therefore ordered, That, on and after the effective date hereof, all handling of tomatoes produced in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended, as hereby further amended, as follows:

1. The section heading of § 966.4, *Production area and regulation area*, and the text of paragraph (b) of that section are amended to read, respectively, as follows:

§ 966.4 Production area and regulated area.

(b) "Regulated area" means that portion of the State of Florida which is bounded by the Suwannee River, the Georgia border, the Atlantic Ocean, and the Gulf of Mexico.

2. Section 966.7 *Handle* is amended to read:

§ 966.7 Handle.

"Handle" or "ship" means to sell, transport, deliver, or in any other way

to place fresh tomatoes, produced in the production area, in the current of commerce within the regulated area or between any point in the regulated area and any point outside thereof. Such term shall not include the transportation, sale or delivery of field-run tomatoes within the production area by the producer thereof to a registered handler for the purpose of having such tomatoes prepared for market. A registered handler is a handler who has adequate facilities in the production area for grading and packing tomatoes and who is registered with the committee pursuant to rules established with the approval of the Secretary.

3. Section 966.12 *Maturity* is amended to read:

§ 966.12 Maturity.

"Maturity" means any of the various degrees of ripeness of tomatoes as established by the committee with approval of the Secretary as determined at the time of inspection, pursuant to § 966.60(a).

4. Section 966.18 *Export* is amended to read:

§ 966.18 Export.

"Export" means shipment of tomatoes beyond the boundaries of the 48 contiguous States (including the District of Columbia) of the United States.

5. Paragraph (d) of § 966.52 *Issuance of regulations* is amended to read:

§ 966.52 Issuance of regulations.

(d) Fix the size, weight, capacity, dimensions, markings (including labels and stamps), or pack of the container or containers which may be used in the packaging, transportation, sale, shipment, or other handling of tomatoes.

6. Section 966.60 *Inspection and certification* is amended to read:

§ 966.60 Inspection and certification.

(a) During any period in which the handling of tomatoes is regulated pursuant to this subpart no handler shall handle tomatoes unless such tomatoes have been inspected and certified as meeting the requirements of this subpart by an authorized representative of the Federal or Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, and such tomatoes are covered by a valid inspection certificate except when relieved from such requirements pursuant to §§ 966.53 or 966.54 or both.

(b) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the Secretary upon the recommendation of the committee.

(c) When tomatoes are inspected in accordance with the requirements of this section a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

(Secs. 1-10, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

[F.R. Doc. 69-13252; Filed, Nov. 5, 1969; 8:48 a.m.]

[7 CFR Part 1133]

[Docket No. AO-275-A20]

MILK IN INLAND EMPIRE
MARKETING AREADecision on Proposed Amendments to
Marketing Agreement and to Order

A public hearing was held upon proposed amendments to the marketing agreement and the order regulating the handling of milk in the Inland Empire marketing area. The hearing was held 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 (7 CFR Part 900), at Spokane, Wash., pursuant to notice thereof issued on June 26, 1969 (34 F.R. 1147).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on October 6, 1969 (34 F.R. 15716; F.R. Doc. 69-12121), 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 are hereby approved and adopted and are set forth in full herein.

The material issues on the record relate to:

1. Pool plant qualifications;
2. Elimination of supply-demand adjuster;
3. Clarification of the Class II milk definition; and
4. Partial payments to producers.

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. *Pool plant qualifications.* The "in-area" route disposition requirement for a pool distributing plant should be the lesser of 15 percent of its Grade A receipts during the month or 150,000 pounds.

A plant that disposes of 15 percent of its Grade A receipts or 150,000 pounds of Class I milk on routes in the marketing area during the month is sufficiently associated with the regulated market to be a competitive influence on fully regulated handlers. Accordingly, such a plant should be fully regulated on the same terms and conditions as are binding on fully regulated handlers.

The order now provides that a plant must have Class I distribution in the marketing area during the month of at least 20 percent of its Grade A receipts or 250,000 pounds. In addition, the plant must dispose of during the month at least 40 percent (50 percent in September-November) of its receipts on routes (both inside and outside the marketing area). There was no proposal to change the latter requirement.

Two cooperatives representing most of the producers on the market proposed reducing the in-area disposition requirement for pooling to "the lesser of 100,000

pounds or 10 percent" (from "the lesser of 250,000 or 20 percent").

In support of their position to revise the qualifications for pool distributing plants, producers stated that the Class I distribution in the marketing area from nonpool plants had increased in recent years. They noted particularly that such sales from nonpool plants were 0.79 percent of the 10.6 million pounds of Class I milk sold by pool handlers in May 1967 and that such sales from nonpool plants increased to 1.66 percent of the 10.2 million pounds of Class I milk sold by pool handlers in July 1968.

Three partially regulated distributing plants sell in the marketing area. About 70 percent of these Class I sales is from a plant in Missoula, Mont. No testimony was presented relative to the operations of the other two partially regulated plants.

The Missoula plant has been a partially regulated plant under the order since March 1962 when the marketing area was expanded to include Shoshone and Kootenai Counties in Idaho. Its present marketing area sales are currently confined to this Idaho portion of the marketing area. The principal sales area of the plant is in Montana. In the 2-year period, June 1967 to May 1969, the plant's average monthly sales in the Inland Empire marketing area were 106,000 pounds, representing 3.6 percent of the total quantity of milk handled in the Missoula plant.

The proportion of Class I sales in the marketing area from all nonpool plants still remains relatively small. There has been no substantial change in the level of such sales within the past 2 years. In the 2-year period of June 1967 to May 1969, such sales averaged 153,000 pounds monthly and were 1.41 percent of the average monthly Class I sales of 10.9 million pounds of producer milk for the same period. The most significant change in that period was from May to June 1967, when a nonpool handler obtained a chain store account in the marketing area in the latter month. The total Class I sales from nonpool plants in the marketing area are increased from 84,000 pounds in May 1967 to 115,000 pounds in June 1967 to 163,000 pounds in December of the same year. In May 1969, the most recent month in which data are available, the total Class I distribution in the marketing area from nonpool plants was 150,000 pounds.

The Missoula handler opposed the in-area pooling qualifications proposed by producers (the lesser of 10 percent of Grade A receipts or 100,000 pounds). Based on his present sales in the marketing area, adoption of the producer proposal would result in fully regulating the Missoula plant as a pool plant unless the handler discontinued some of his sales in the marketing area to retain his partially regulated distributing plant status. The handler stated that if such plant became a pool plant under the order, he would be disadvantaged competitively because his principal sales territory is in Montana where he must compete with an entirely different group of distributors under substantially different marketing conditions.

The purpose of a minimum in-area route disposition requirement to qualify a distributing plant for pooling has been discussed in previous decisions on this order. It is to assure that, to be pooled, a plant must be associated with the market in a significant and regular manner. Otherwise, dairy farmers and handlers who ordinarily have no affiliation with the market could casually or incidentally associate themselves with the market only when it was to their advantage to do so and thus share unwarrantedly in the Class I proceeds of the market. On the other hand, if a plant is associated regularly and in a significant manner, the market equalization plan should be applicable to insure uniform pricing.

Proponents' proposal could have one of two results, either to pool all milk at the Missoula plant or to cause such plant to reduce sales in the marketing area to avoid pooling. Neither result is appropriate. The marketing area sales of this plant and other nonpool plants presently are minor and do not warrant extension of pooling to such operations. In view of the fact that the Missoula plant obtained its marketing area sales under the present provisions and over a substantial period of time, it likewise would not be reasonable now to require such plant to reduce its in-area sales to avoid pooling on all its Class I milk, including Montana sales.

Consequently, the minimum requirements for pooling should not be reduced to the extent proposed by proponents. However, the substitution of partially regulated milk for producer milk to the extent allowed by the present provisions could have, in a market of this size, significant adverse effect on the uniform price to regular producers. This possibility should be avoided. It is reasonable, therefore, to reduce the minimum requirements for pooling to the Class I sales on routes in the marketing area of 15 percent of a plant's Grade A milk receipts, or not less than 150,000 pounds.

Since the quantity of milk that a partially regulated handler distributes in the marketing area without becoming a fully regulated plant (as herein provided) is limited, he may not increase appreciably his sales in the marketing area at the expense of fully regulated handlers and their producers. Moreover, the order contains provisions to insure that for Class I milk distributed within the marketing area the partially regulated handler must pay an amount which approximates its value at the order Class I price. Consequently, the integrity of the regulation is maintained. At the same time a partially regulated handler, such as the Missoula handler, may continue to compete on the same terms as his main competitors in the area where most of his business is conducted and where such terms differ substantially from those prevailing in the regulated marketing area. There was no showing on the record that the Missoula plant, which is more than 200 miles from Spokane, the principal city in the marketing area, presently has an advantage over fully regulated handlers on its limited sales in the marketing area.

2. *Elimination of supply-demand adjuster.* The supply-demand adjustment

provisions should be deleted from the order. As a corollary change, the Class I differential should be adjusted to maintain the Class I price level that has been effective under the order.

The order now provides that the Class I price shall be adjusted monthly to reflect changes in the supply of milk in the market relative to fluid milk sales. When milk supplies are more than adequate in relation to Class I sales, the Class I price is reduced. Conversely, when supplies are less than adequate relative to sales, the Class I price is increased.

In the 24-month period of July 1967 through June 1969, the supply-demand adjustment averaged minus 15 cents. It ranged from a low of minus 6 cents in November 1967 to minus 28 cents in January 1969. The minus 15-cent adjustment that prevailed in the most recent 24-month period approximates the average monthly supply-demand adjustment under the order in the previous several years.

The two principal cooperatives in the market proposed that the supply-demand adjuster be discontinued. There was no opposition to the proposal.

Producers contended that the supply-demand provisions are no longer suitable under current conditions in the market. They cited particularly that the adjustments to the Class I price resulting from the supply-demand adjuster are no longer seasonally appropriate.

The monthly stated standard utilization percentages, or "norms", are designed to reflect the normal or desired relationship of producer deliveries to Class I sales. If the seasonal supply-demand relationship of the market shifts and is no longer accurately reflected by the norms, a seasonal bias is injected into the computation of the supply-demand adjustment. Supply-demand adjustments can then result which are seasonally inappropriate. Such a change in seasonality has occurred with respect to the relationship of producer milk to Class I sales in the Inland Empire market. For example, adjustments to the Class I price for the months of January, February, and March 1969 averaged minus 25 cents; for the seasonally high production months of April, May, and June of the same year, the average adjustment was minus 16 cents.

Discontinuing the supply-demand adjuster not only will eliminate the inappropriate contraseasonal Class I price adjustments which have occurred, but also will enable the seasonal incentive plan provided in the order to have maximum effect in inducing more even deliveries throughout the year as intended by such provisions. Such seasonal incentive plan is aimed at discouraging production during the spring months when the supply of milk is highest relative to demand and to encourage production during the fall months when production is lowest relative to demand.

The Class I price level which has prevailed under the order in recent months has obtained an adequate total supply of milk for the Inland Empire market. In 1968, the Class I utilization of producer

deliveries ranged from a low of 56 percent in June to a high of 71 percent in January; the average for the year was 65 percent. For the 5-year period, 1964 through 1968, the Class I utilization of producer milk averaged 67 percent. In addition, the Class I price should be maintained in close alignment with the Class I prices under other orders to provide a reasonable basis for intermarket competition and to minimize uneconomic shifting of producers between markets.

It is concluded the Class I price applicable under the Inland Empire order in recent years has been reasonably aligned with the Class I prices in nearby markets and has maintained an adequate but not burdensome supply of milk for the market.

The Class I price therefore should be maintained at the average level which has been effective in the market in recent months. This may be accomplished by reducing the stated Class I differential 15 cents to reflect the average supply-demand adjustment of minus 15 cents that has prevailed.

3. *Class II milk.* The Class II milk definition and related allocation provisions should be clarified as to the appropriate classification treatment of other source milk used to produce Class II milk products.

A handler proposed that the order be made more explicit concerning applicability of the classification provisions to other source milk reprocessed or converted for use in a Class II product. The purpose of the proposal is to insure, in effect, that the skim milk represented by any nonfluid milk product (e.g., nonfat dry milk) used to produce a Class II product (e.g., ice cream mix) will be deducted directly from Class II in the allocation procedure to determine the appropriate classification of producer milk.

The order is now silent regarding the allocation of skim milk and butterfat represented by a nonfluid milk product used to produce a Class II product. Because of this, some such skim milk is allocated to a handler's Class III utilization and consequently results in allocating to Class II an equal amount of producer milk.

It is intended that only fluid milk products derived from producer milk and utilized in Class II milk shall be so classified for the purpose of applying the order's minimum prices. Specifying a Class II classification for all skim milk and butterfat used to produce a Class II product but deducting, in allocation, any other source milk so used directly from the handler's Class II uses, as herein proposed, will insure appropriate application of the pricing provisions.

4. *Partial payment to producers.* The order provides that handlers shall make an "advance payment" to producers before the end of the month for milk delivered during the first 15 days of the month at not less than the Class III price for the preceding month. The amount thus paid is deducted from the total amount due producers when com-

pleting payment in the following month for their total month's deliveries.

The payment made on the basis of milk delivered in the first 15 days of the month is, in fact, a partial payment for the milk delivered during this 15-day period. "Partial payment", the term which is most commonly used in the various orders in designating such payments, is more descriptive of this type of payment and should replace the term "advance payment" that is now used in the Inland Empire order.

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. 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, a marketing agreement and an order, which regulate the handling of milk in the Inland Empire marketing area and which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

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

DETERMINATION OF PRODUCER APPROVAL AND REPRESENTATIVE PERIOD

August 1969 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Inland Empire 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 November 3, 1969.

RICHARD E. LYNG,
Assistant Secretary.

Order as Amended, Regulating the Handling of Milk in the Inland Empire 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.* 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 Inland Empire marketing area. The hearing was held 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 (7 CFR Part 900).

¹This 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.

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 Inland Empire marketing area shall be in conformity to and in compliance with the terms and conditions of the 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 October 6, 1969, and published in the FEDERAL REGISTER on October 10, 1969 (34 F.R. 15716; F.R. Doc. 69-12121), shall be and are the terms and provisions of this order, amending the order and are set forth in full herein.

§ 1133.8 [Amended]

1. In § 1133.8(a)(1), "the lesser of 250,000 pounds or 20 percent" is changed to "the lesser of 150,000 pounds or 15 percent."

2. Section 1133.13(b) is revised as follows:

§ 1133.13 Other source milk.

(b) Products, other than fluid milk products, from any source (including those processed at the plant) which are reprocessed in connection with, or converted to, another product in the plant during the month, and any disappearance during the month of nonfluid milk products not otherwise accounted for.

3. Section 1133.41(b) is revised as follows:

§ 1133.41 Classes of utilization.

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat used to produce ice cream, ice cream mix, frozen deserts, cocoa mixes and cottage, pot and bakers' cheese; and

4. In § 1133.46(a), a new subparagraph (2a) is added and subparagraph (3) (i) is revised as follows:

§ 1133.46 Allocation of skim milk and butterfat classified.

(a) * * *

(2a) Subtract from the total pounds of skim milk in Class II the pounds of skim milk in products other than fluid milk products that are used (directly or as a reconstituted fluid milk product) to produce Class II products;

(3) * * *

(i) Other source milk (that was not subtracted pursuant to subparagraph (2a) of this paragraph) in a form other than that of a fluid milk product;

5. In § 1133.51, paragraph (d) is revoked and paragraph (a) is revised as follows:

§ 1133.51 Class prices.

(a) *Class I milk price.* For each month the price for Class I milk shall be the basic formula price for the preceding month plus \$1.75 and plus 20 cents.

(d) [Revoked]

§ 1133.80 [Amended]

6. In § 1133.80(a), the word "advance" is changed to "partial".

7. In § 1133.80(d)(1), the word "advance" is changed to "partial".

[F.R. Doc. 69-13239; Filed, Nov. 5, 1969; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

BHC; LINDANE

Proposed Reduction of Tolerances for Residues in or on Raw Agricultural Commodities

Following the spray residue public hearings held in 1950, and pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act, tolerances for residues of the insecticides BHC (benzene hexachloride) and lindane (the gamma isomer of BHC) were established in Part 120 (21 CFR Part 120) at 5 parts per million for BHC and 10 parts per million for lindane on 41 raw agricultural commodities. The order was published in the FEDERAL REGISTER of March 11, 1955 (20 F.R. 1473). Subsequently, tolerances were established for residues of lindane in or on mushrooms at 10 parts per million; in fat of meat from cattle, goats, horses, and sheep at 7 parts per million; and in fat of meat from hogs at 4 parts per million.

The President's Science Advisory Committee recommended in a report "Use of Pesticides" (May 15, 1963) that the accretion of residues in the environment be controlled by orderly reduction in the use of persistent pesticides. A policy of the Food and Drug Administration is to

review its pesticide tolerances with respect to new scientific data and information and in response to recommendations be recognized scientific advisory bodies.

The U.S. Department of Agriculture has advised that they have no objection to the proposed reduction of tolerances for BHC and lindane. They also advise that there are no registered uses for BHC on guavas, mangoes, pineapple, and quinces.

A review of tolerances for BHC and lindane has been made. A reevaluation of the available experimental residue data reflecting specified patterns of use shows that:

1. Tolerances of 5 parts per million for BHC and 10 parts per million for lindane are higher than necessary for the crops for which they were established.

2. Tolerances are unnecessary for those crops for which there are no registered uses.

3. Residues for which tolerances are not established could occur in eggs, meat, milk, and poultry from feeding livestock with certain treated raw agricultural commodities or their byproducts bearing residues of BHC or lindane. These commodities are beans, citrus, corn, and peas.

4. Registered uses for which there are no established tolerances should be revoked.

To bring these tolerances into line with the policy that a pesticide tolerance should be no higher than the amount reasonably required to cover the residue when the USDA registered directions for use are followed, the Commissioner of Food and Drugs proposes to: (1) Reduce tolerances for these insecticides where available residue data indicate that the currently registered uses do not require a higher level; (2) revoke tolerances for residues in or on those crops for which there are no registered uses; (3) revoke tolerances for residues in or on those crops from which the presently registered uses could result in residues in other commodities for which tolerances are not established.

Therefore, pursuant to the provisions of the act (sec. 408 (e), (m), 68 Stat. 514, 517; 21 U.S.C. 346a (e), (m)) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that § 120.133 and § 120.140 be revised to read as follows:

§ 120.133 Lindane; tolerances for residues.

Tolerances are established for residues of the insecticide lindane (gamma isomer of benzene hexachloride) in or on raw agricultural commodities as follows:

7 parts per million in or on the fat of meat from cattle, goats, horses, and sheep.

4 parts per million in or on the fat of meat from hogs.

3 parts per million in or on cucumbers, lettuce, melons, mushrooms, pumpkins, squash, summer squash, and tomatoes.

1 part per million in or on apples, apricots, asparagus, avocados, broccoli, brussels sprouts, cabbage, cauliflower, celery, cherries, collards, eggplants,

grapes, guavas, kale, kohlrabi, mangoes, mustard greens, nectarines, okra, onions (dry bulb only), peaches, pears, peppers, pineapples, plums (fresh prunes), quinces, spinach, strawberries, and Swiss chard.

§ 120.140 BHC; tolerances for residues.

Tolerances are established for residues of the insecticide BHC (benzene hexachloride) in or on the raw agricultural commodities apples, apricots, asparagus, avocados, broccoli, brussels sprouts, cabbage, cauliflower, celery, cherries, collards, cucumbers, eggplants, grapes, kale, kohlrabi, lettuce, melons, mustard greens, nectarines, okra, onions (dry bulb only), peaches, pears, peppers, plums (fresh prunes), pumpkins, spinach, strawberries, squash, summer squash, Swiss chard, and tomatoes at 1 part per million.

Any person who had registered or who has submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing lindane or BHC may request, within 30 days after publication hereof in the FEDERAL REGISTER, that this proposal be referred to an advisory committee in accordance with section 408(e) of the act.

Any interested person may, within 30 days from the date of publication of this notice 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 comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: October 29, 1969.

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

[F.R. Doc. 69-13222; Filed, Nov. 5, 1969; 8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Airworthiness Docket No. 69-SW-70]

BELL MODEL 47 SERIES HELICOPTERS

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Bell Model 47 series helicopters and other helicopters incorporating certain tail rotor drive shaft assemblies.

Excessive corrosion has been found on internal surfaces of tail rotor drive shaft assemblies on some of these helicopters. This corrosion can cause failure of the shaft assembly with resultant loss of control of the helicopter. There is no known method or procedure available to effectively inspect the assembly for cor-

rosion and determine if the corrosion is excessive. Since this condition is likely to exist in other helicopters using these shaft assemblies, the proposed airworthiness directive would require replacement of these shaft assemblies with new shaft assemblies incorporating improved internal surface protection and other design features intended to minimize corrosion.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or comments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received on or before December 5, 1969, will be considered by the Director before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available for examination by interested persons before and after the closing date for comments, in the office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Tex.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

BELL. Applies to all Bell Model 47 series helicopters and all other helicopters incorporating any of the following tail rotor drive shaft assemblies:

47-644-172-3	47-644-186-1
47-644-180-1	47-644-187-5
47-644-180-5	47-644-187-11
47-644-214-1	

Compliance required no later than January 1, 1971; however, replacement is recommended at the next 1,200-hour overhaul.

To prevent failure from internal corrosion, remove and replace all tail rotor drive shaft assemblies installed on applicable helicopters as indicated below in accordance with the applicable maintenance and overhaul manual:

Remove	Replace with
47-644-172-3	47-644-172-9
47-644-180-1	47-644-180-9
47-644-180-5	47-644-180-11
47-644-214-1	47-644-214-9
47-644-186-1	47-644-186-5
47-644-187-5	47-644-187-17
47-644-187-11	47-644-187-19

Alternate or equivalent replacement parts may be acceptable if approved by the Director, Southwest Region, Federal Aviation Administration.

Issued in Fort Worth, Tex., on October 27, 1969.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 69-13232; Filed, Nov. 5, 1969; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-WE-72]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the description of the Santa Ana, Calif. (MCAS Santa Ana) control zone.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Program Standards Branch, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

The proposal will increase the airspace configuration from a 3- to a 5-mile zone. This amendment is necessary to provide controlled airspace protection for the approved ground controlled approach for Santa Ana, MCAS.

In consideration of the foregoing the FAA proposes the following airspace action:

In § 71.171 (34 F.R. 4557) the description of the Santa Ana, Calif. (MCAS Santa Ana) control zone is amended to read as follows:

SANTA ANA, CALIF. (MCAS SANTA ANA)

Within a 5-mile radius of MCAS Santa Ana (latitude 33°42'22" N., longitude 117°49'35" W.) and within a 5-mile radius of Orange County Airport, Santa Ana, Calif. (latitude 33°40'10" N., longitude 117°52'15" W.), excluding the portion within the El Toro, Calif., control zone, the portion within a 1-mile radius of Mile Square MCOLF, and that portion south of a line from latitude 33°41'15" N., longitude 117°48'10" W. to latitude 33°42'30" N., longitude 117°56'40" W., except that portion northwest of a line from latitude 33°43'55" N., longitude 117°47'00" W. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on October 27, 1969.

ARVIN O. BASNIGHT,
Director, Western Region.

[F.R. Doc. 69-13233; Filed, Nov. 5, 1969;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-SW-69]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter controlled airspace in the Carlsbad, N. Mex., terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

VOR RWY 32L instrument approach procedure to Cavern City Air Terminal, Carlsbad, N. Mex., has been revised effective November 13, 1969. In addition, the criteria for designation of terminal controlled airspace has been changed. Accordingly, it is necessary to alter the Carlsbad, N. Mex., control zone and transition area to provide controlled airspace protection for aircraft executing the revised procedure and to comply with the new criteria.

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

(1) In § 71.171 (34 F.R. 4568) the Carlsbad, N. Mex., control zone is amended to read:

CARLSBAD, N. MEX.

Within a 5-mile radius of Cavern City Air Terminal (lat. 32°20'20" N., long. 104°15'45" W.), and within 3.5 miles each side of the Carlsbad VOR 337° and 157° radials extending from the 5-mile radius zone to 10 miles southeast of the VOR.

(2) In § 71.181 (34 F.R. 4659), the Carlsbad, N. Mex., transition area is amended to read:

CARLSBAD, N. MEX.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Cavern City Air Terminal (lat. 32°20'20" N., long. 104°15'45" W.), and within 3.5 miles each side of the Carlsbad VOR 157° radial extending from the 7-mile radius area to 11 miles southeast of the VOR; and that airspace extending upward from 1,200 feet above the surface within 6 miles southeast and 9.5 miles northwest of the Carlsbad VOR 065° and 245° radials extending from 8 miles southwest to 19 miles northeast of the VOR, within 6 miles southwest and 9.5 miles northeast of the Carlsbad VOR 157° radial extending from 5.5 miles southeast to 19 miles southeast of the VOR, and within 5 miles each side of the Carlsbad VOR 157° radial extending from 19 miles southeast to 33 miles southeast of the VOR.

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

Issued in Fort Worth, Tex., on October 27, 1969.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 69-13234; Filed, Nov. 5, 1969;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-SW-81]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter control airspace in the Texarkana, Ark., terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must

also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal Docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (34 F.R. 4774), the Texarkana, Ark., transition area 700-foot portion is amended to read:

TEXARKANA, ARK.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Texarkana Municipal Airport (lat. 33°27'20" N., long. 93°59'15" W.), within 2 miles each side of the Texarkana ILS localizer northeast course extending from the 5-mile-radius area to the OM, and within 2 miles each side of the Texarkana VORTAC 129° radial extending from the 5-mile-radius area to the VORTAC.

The northeasterly transition area extension will provide airspace protection for aircraft executing instrument approach procedures based on a proposed

new instrument landing system (ILS) at the Texarkana Municipal Airport. The proposed reduction in size of the northeasterly extension is made possible by a forthcoming amendment to the VOR RWY 13 instrument approach procedure to the Texarkana Municipal Airport.

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

Issued in Fort Worth, Tex., on October 27, 1969.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 69-13235; Filed, Nov. 5, 1969;
8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

ELMER P. COBETTO

Notice of Granting of Relief

Notice is hereby given that Elmer P. Cobetto, Taylor Springs, Ill., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on September 11, 1952, in the U.S. District Court for the Southern District of Illinois at Springfield, Ill., of an offense punishable by imprisonment for a term exceeding 1 year, as defined in 18 U.S.C. 921(a)(2). Unless relief is granted, it will be unlawful for Elmer P. Cobetto, because of such conviction to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible to obtain a license as a firearm or ammunition importer, manufacturer, dealer, or collector under chapter 44, title 18, United States Code. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix) it would be unlawful for Mr. Cobetto to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby further given that I have considered Elmer P. Cobetto's application and have found:

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

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

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144, it is ordered that Elmer P. Cobetto be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 30th day of October 1969.

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

[F.R. Doc. 69-13250; Filed, Nov. 5, 1969;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-17]

INDUSTRIAL REACTOR LABORATORIES, INC.

Notice of Issuance of Facility License Amendment

The Atomic Energy Commission has issued Amendment No. 19 to Facility License No. R-46 to Industrial Reactor Laboratories, Inc. (IRL), of Plainsboro, N.J. The license authorizes IRL to possess, use, and operate the IRL reactor located in Plainsboro Township, Middlesex County, N.J. The amendment, effective as of the date of issuance, authorizes IRL to increase the amount, type and form of byproduct material which may be stored in its reactor pool at any one time. The license presently authorizes possession and storage of up to 200,000 curies of encapsulated cesium-137. The amendment permits IRL to possess and store in welded stainless steel capsules up to 600,000 curies of either cesium-137 or cobalt-60, or a combination of these two isotopes in a quantity not to exceed a total of 600,000 curies.

The Commission has found that the application for amendment dated August 26, 1969, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR Chapter I, and that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. A request for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's "Rules of Practice", 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in the notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) IRL's application dated August 26, 1969, (2) Amendment

No. 19 to Facility License No. R-46, and (3) a related Safety Evaluation by the Division of Reactor Licensing, which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. Copies of items (2) and (3) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 27th day of October 1969.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

[F.R. Doc. 69-13238; Filed, Nov. 5, 1969;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI70-343—RI70-348; RI70-
384—RI70-385]

H. H. PHILLIPS, JR., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

OCTOBER 24, 1969.

The respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are

¹ Does not consolidate for hearing or dispose of the several matters herein.

suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations

thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.²

² If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before December 10, 1969.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI70-343..	H. H. Phillips, Jr. et al., 319 Milam Bldg., San Antonio, Tex. 78205.	1	5	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Seeligson Field, Jim Wells County, Tex.) (RR. District No. 4).	\$13	9-29-69	* 10-1-69	* 10-2-69	* 14.0	** 14.05475	
RI70-344..	Fred W. Shield, 1442 Milam Bldg., San Antonio, Tex. 77001.	8	6	Trunkline Gas Co. (Heard Ranch Field, Bee County, Tex.) (RR. District No. 2).	1,174	9-26-69	* 10-1-69	* 10-2-69	* 14.0	** 14.05475	
.....do.....	.....do.....	9	6	United Gas Pipe Line Co. (Boyce and Brandt Fields, Goliad, De Witt, and Karnes Counties, Tex.) (RR. District No. 2).	68	9-26-69	* 10-1-69	* 10-2-69	14.0	** 14.0365	
RI70-345..	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	10	17	Transcontinental Gas Pipe Line Corp. (North Markham-North Bay City Field, Matagorda County, Tex.) (RR. District No. 3).	10,740	9-26-69	* 10-1-69	* 10-2-69	* 15.5	** 15.55035	
.....do.....	.....do.....	67	11	Natural Gas Pipeline Co. of America (North Pasture Field, San Patricio County, Tex.) (RR. District No. 4).	100	* 9-29-69	* 10-1-69	* 10-2-69	** 16.0	** 16.05724	
RI70-346..	Shell Oil Co., 50 West 30th St., New York, N.Y. 10020.	137	5	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (LaCopito Field, Starr County, Tex.) (RR. District No. 4).	400	9-29-69	* 10-1-69	* 10-2-69	** 14.6	** 14.6548	
.....do.....	.....do.....	188	4	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Seeligson Field, Jim Wells County, Tex.) (RR. District No. 4).	1,775	9-29-69	* 10-1-69	* 10-2-69	** 14.6	** 14.6548	
.....do.....	.....do.....	4	21	Texas Eastern Transmission Corp. (Helen Gohlke Field, De Witt and Victoria Counties, Tex.) (RR. District No. 2).	417	9-29-69	* 10-1-69	* 10-2-69	** 14.6	** 14.6039	
RI70-347..	Shell Oil Company (Operator) et al.	309	1	Texas Eastern Transmission Corp. (Sberidan Field, Colorado County, Tex.) (RR. District No. 3).	2,078	9-29-69	* 10-1-69	* 10-2-69	** 17.0	** 17.0744	
RI70-348..	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	244	2	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (North Magnolia City Field, Jim Wells County, Tex.) (RR. District No. 4).	42	9-29-69	* 10-1-69	* 10-2-69	** 15.0	** 15.0563	
.....do.....	.....do.....	349	1	Natural Gas Pipeline Co. of America (Willamar and Willamar, Southeast Fields, Willacy County, Tex.) (RR. District No. 4).	3,360	9-29-69	* 10-1-69	* 10-2-69	** 16.0	** 16.00	
.....do.....	.....do.....	395	3	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (San Roman Field, Starr County, Tex.) (RR. District No. 4).	632	9-29-69	* 10-1-69	* 10-2-69	** 16.0	** 16.00	
RI70-354..	Magna Oil Corp., 1000 Mercantile-Continental Bldg., Dallas, Tex. 75201.	9	3	Lone Star Gas Co. (Cooke County, Tex.) (RR. District No. 9).	630	9-25-69	* 10-1-69	* 10-2-69	14.400	** 14.825	
RI70-355..	J. M. Huber Corp., 2300 West Loop, Houston, Tex. 77027.	31	6	Colorado Interstate Gas Co. (Panhandle Field, Hutchinson County, Tex.) (RR. District No. 10).	8,616	9-29-69	* 10-1-69	* 10-2-69	** 16.0	** 16.00	

¹ The stated effective date is the effective date of the tax increase enacted by the State of Texas.

² The suspension period is limited to 1 day.

³ Tax reimbursement increase.

⁴ Pressure base is 14.55 p.s.i.g.

⁵ Increase to 15.6 cents suspended in Docket No. RI65-181 but has not been placed into effect subject to refund.

⁶ Increase to 15.6 cents suspended in Docket No. RI65-516 but has not been placed into effect subject to refund.

⁷ Inclusive of 0.21031-cent dehydration charge.

⁸ As corrected by filing submitted Oct. 6, 1969.

The proposed rate increases herein reflect the 0.5 percent increase in the production tax from 7 percent to 7.5 percent enacted by the State of Texas on September 9, 1969, to be effective as of October 1, 1969. All of the proposed rates herein exceed the applicable area ceiling for the areas involved as an-

nounced in the Commission's statement of general policy No. 61-1, as amended.

We believe that it would be in the public interest to waive the statutory notice provided in section 4(d) of the Natural Gas Act. Pursuant to Commission's Order No. 390 issued October 10, 1969, the producers' pro-

⁹ Applicable to added acreage only. Basic acreage tax increase has been filed with the Commission.

¹⁰ Settlement rate as approved by Commission order issued Aug. 1, 1962, in Docket Nos. G-9446 et al.

¹¹ Periodic increase submitted concurrently. Separate action will be taken.

¹² Initial rate as conditioned by temporary certificate issued May 23, 1968, in Docket No. C168-1193.

¹³ Settlement rate as approved by Commission order issued July 8, 1964, in Docket Nos. G-9287 and G-9288 et al.

¹⁴ Initial rate.

¹⁵ Subject to upward and downward B.t.u. adjustment.

posed rate increases from underlying firm rates are suspended for 1 day from October 1, 1969, the effective date of the tax increase enacted by the State of Texas.

[F.R. Doc. 69-13145; Filed, Nov. 5, 1969; 8:45 a.m.]

[Dockets Nos. R170-339, etc.]

SHELL OIL CO. ET AL.**Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹**

OCTOBER 24, 1969.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

¹ Does not consolidate for hearing or dispose of the several matters herein.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made

effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before December 10, 1969.

By the Commission.

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
R170-339..	Shell Oil Co. (Operator) et al., 50 West 50th St., New York, N.Y. 10020.	242	11	Transwestern Pipeline Co. (Catesby Field, Ellis County, Okla.) (Panhandle Area).	\$232	9-25-69	* 10-26-69	3-26-70	17.0	** 19.5175	
R170-340..	Delta Drilling Co. (Operator) et al., Post Office Box 2102, Tyler, Tex. 75701.	37	1	El Paso Natural Gas Co. (San Juan County, N. Mex.) (San Juan Basin Area).	600	9-29-69	* 10-30-69	3-30-70	13.0	** 14.0	
R170-341..	Husky Oil Co. of Delaware, Post Office Box 380, Cody, Wyo. 82414.	23	3	Natural Gas Pipeline Co. of America (Indian Basin Field, Eddy County, N. Mex.) (Permian Basin Area).	1,360	9-29-69	* 10-31-69	3-31-70	16.608	** 17.646	
R170-342..	Jerome P. McHugh (Operator) et al., 930 Petroleum Club Bldg., Denver, Colo. 80202.	4	2	El Paso Natural Gas Co. (Gallina and Basin Dakota Fields, Rio Arriba County, N. Mex.) (San Juan Basin Area).	2,409	9-29-69	* 10-30-69	3-30-70	14.0505	** 15.0541	R167-273.
.....do.....	.....do.....	5	4	El Paso Natural Gas Co. (Ballard Pletched Cliffs Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	135	9-29-69	* 10-30-69	3-30-70	13.0	** 13.0400	

² Completed by corrective notice of change dated Oct. 3, 1969, filed on Oct. 8, 1969.

³ The stated effective date is the effective date requested by Respondent.

⁴ Periodic rate increase.

⁵ Pressure base is 14.65 p.s.i.a.

⁶ Subject to a downward B.T.U. adjustment.

⁷ Applicable to interest of Sun Oil Co. added by Supplement No. 6.

⁸ Pressure base is 15.025 p.s.i.a.

⁹ The stated effective date is the first day after expiration of the statutory notice.

¹⁰ Tax reimbursement increase.

Jerome P. McHugh (Operator) et al. (McHugh), request that their proposed rate increases be permitted to become effective as of October 1, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for McHugh's rate filings and such request is denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, § 2.56).

[F.R. Doc. 69-13146; Filed, Nov. 5, 1969; 8:45 a.m.]

[Docket Nos. G-5061 etc.]

SHELL OIL CO. ET AL.**Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹**

OCTOBER 28, 1969.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before November 21, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its

own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56 of the Commission's General Policy and Interpretations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed for filing protests or petitions to intervene, the applicant indicates in writing that it is unwilling to accept such a condition. In the event applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Present status lease
G-7561 D 10-15-69	Shell Oil Co., 50 West 38th St., New York, N. Y. 10018	Cities Service Gas Co., Hightown Field, Stanton County, Kans.	Depleted	
G-7563 D 10-15-69	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77002	Northern Natural Gas Co., Houston Field, Stevens County, Mont.	(1)	
G-7570 C 10-15-69	Southern Union Gathering Co., Fidelity Union Tower, Dallas, Tex. 75201	El Paso Natural Gas Co., Average in San Juan County, N. Mex.	\$ 13.0	15.325
G-11946 C 10-13-69	Mobil Oil Corp.	Texas Gas Pipeline Co., a division of Texas Eastern Petroleum Co., Jim Wells County, Tex.	15.6	14.65
G-11957 C 10-9-69	Mobil Oil Corp. (Operator) et al.	El Paso Natural Gas Co., Spearberry (Trend Area) Field, Union and other counties, Tex.	14.5	14.65
G-12112 (10-5145) C 10-9-69	Hanley Co. et al., 3777 First National Bank Bldg., Dallas, Tex. 75202	Spearberry Field, Glasscock County, Tex.	14.5	14.65
G-12485 D 5-2-69	Mobil Oil Corp.	South Erick Field, Beckham County, Okla.	(2)	
C161-548 (CS86-119) C 10-9-69	Mobil Oil Corp. (Operator)	El Paso Natural Gas Co., Lehigh-Mattis and Jalisco Fields, Les Comites, N. Mex.	10.0	14.65
C161-547 E 10-10-69	Franklin Adkins (successor to Edith Swadley et al., doing business as Central Oil & Gas Co.), 35 Valley View Dr., Vienna, W. Va. 25301	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
C161-1024 D 10-13-69	Mobil Oil Corp. (Operator) et al.	Natural Gas Pipeline Co. of America, North Custer City Field, Custer County, Okla.	(3)	
C162-265 C 10-9-69	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77002	El Paso Natural Gas Co., Lincoln Area, Rio Arriba County, N. Mex.	13.0	15.025
C162-599 E 10-9-69	Sun Oil Co. (successor to Van-Gross Oil Co.), 1068 Walnut St., Philadelphia, Pa. 19103	Northern Natural Gas Co., Lavigne Field, Harper County, Okla.	17.0	14.65
C162-284 D 10-13-69	Mobil Oil Corp. (Operator) et al.	Arkansas Louisiana Gas Co., Red Oak Area, Latimer and other counties, Okla.	(4)	
C162-154 E 10-8-69	Gulf Oil Corp. (successor to Warren Petroleum Corp.), Post Office Box 1580, Tulsa, Okla. 74102	Natural Gas Pipeline Co. of America, Thomas Area, Dewey and Custer Counties, Okla.	15.0	14.65
C162-53 D 10-14-69	Mobil Oil Corp.	Northern Natural Gas Co., East Clark Area, Harper County, Okla.	(5)	
C162-833 C&D 10-14-69	Service Gas Products Co. (Operator), et al., 1010 Wilshire Blvd., Los Angeles, Calif. 90017	Pachauds Eastern Pipe Line Co., average in Alfalfa, Major, Woods and Dewey Counties, Okla.	\$ 15.0	14.65
C162-1179 C 10-15-69	McDonald Spitzel, c/o John E. Hoyt, attorney, Post Office Box 848, Weston, W. Va. 25432	Equihale Gas Co., Salt Lick District, Brantley County, W. Va.	27.0	15.325
C170-44 (C167-558) F 1-17-69	Prumata Corp. (Operator) et al. (Successor to U.S. Natural Gas Corp.), Post Office Box 2034, Casper, Wyo. 82401	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Desert Springs Field, Sweetwater County, Wyo.	\$ 18.15 \$ 15.0	14.65 14.65
C170-348 A 10-9-69	George Jackson and Giff Bldg., Chickasaw, W. Va. 25931	Consolidated Gas Supply Corp., West Union District, Doddridge County, W. Va.	\$ 28.0	15.325
C170-347 A 10-9-69	Va. Roy Drilling Co., Spencer, W. Va. 25370	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	27.0	15.325

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.
See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Present status lease
C170-348 A 10-9-69	Martin J. Moran, Box 36, Weston, W. Va. 25432	Consolidated Gas Supply Corp., De Kalb District, Gilmer County, W. Va.	27.0	15.325
C170-349 A 10-9-69	Vivient Kutch et al., 1902 Orr Ave., Kittanning, Pa. 16201	Consolidated Gas Supply Corp., Bell Township, Jefferson County, Pa.	27.0	15.325
C170-353 B 10-9-69	Continental Oil Co.	Transwestern Pipeline Co., El Mar Plant, El Mar Area, Lea County, N. Mex.	Uneconomical	
C170-351 A 10-10-69	PetroDynamics, Inc. (Operator), et al., Post Office Box 10006, Amarillo, Tex. 79108	El Paso Natural Gas Co., Moccasin-Lavigne Area, Beaver County, Okla.	17.0	14.65
C170-352 A 10-9-69	Robert C. Anderson, c/o Stanley R. Caldwell, Jr., Attorney, 910 National Foundation Bldg., Oklahoma City, Okla. 73112	Arkansas Louisiana Gas Co., Northeast Hillside Field, Grant and Garfield Counties, Okla.	\$ 13.0	14.65
C170-353 B 10-10-69	Regent Gas Producers, Inc. (Operator), et al., 618 Spring Valley Dr., Charleston, W. Va. 25301	Consolidated Gas Supply Corp., Sherman District, Boone County, W. Va.	Depleted	
C170-354 A 10-9-69	Patrick A. Deberry et al., 126 El Camino, Beverly Hills, Calif. 90212	Kansas-Nebraska Natural Gas Co., Inc., Redwing Field, Washington County, Colo.	10.0	14.6
C170-355 A 10-10-69	High Crest Oils, Inc. (Operator), et al., c/o Lynn B. Coleman, attorney, Viscon, Ekins, Seash & Company, 240 First City National Bank Bldg., Houston, Tex. 77002	Northern Natural Gas Co., Tiger Refuge Field, Blaine and Hill Counties, Mont.	\$ 15.5	14.65
C170-356 A 10-11-69	Carl L. Linger et al., Post Office Box 878, McAllen, Tex. 78101	Michigan Wisconsin Pipe Line Co., Southwest Cedarvale Field, Woodward County, Okla.	\$ 13.5	14.65
C170-357 A 10-10-69	E. K. Edmiston (Operator) et al., 625 First National Bank Bldg., Wichita, Kans. 67202	Pachauds Eastern Pipe Line Co., average in Reno County, Kansas, W. Va.	13.0	14.65
C170-358 B 10-10-69	Grace E. Lovell et al., 314-4th Avenue, New York, N. Y. 10014	Consolidated Gas Supply Corp., Great District, Wetzel County, W. Va.	Uneconomical	
C170-359 B 10-10-69	Ellyson Gas Co., Glenville, W. Va. 26031	Consolidated Gas Supply Corp., Tivy District, Gilmer County, W. Va.	Uneconomical	
C170-360 A 10-10-69	Russell G. Beall et al., c/o Winnie Mae Morris, agent, Harberville, W. Va. 25923	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	27.0	15.325
C170-361 A 10-10-69	Evera Loversick, 538 Park Ave., New York, N. Y. 10021	Consolidated Gas Supply Corp., Elk District, Barbour County, W. Va.	27.0	15.325
C170-362 B 10-10-69	C. A. Tully Lease, c/o M. J. Adams, agent, Box 388, Weston, W. Va. 25432	Consolidated Gas Supply Corp., Court House District, Lewis County, W. Va.	Uneconomical	
C170-363 A 10-10-69	R. K. Bogert, Jr., et al., Post Office Box 228, Pullin, W. Va. 26045	Consolidated Gas Supply Corp., Pullin District, Barbour County, W. Va.	27.0	15.325
C170-364 A 10-10-69	R. Wayne Christensen et al., 1181 North Ballinger Highway, Flint, Mich. 48504	Consolidated Gas Supply Corp., Court House District, Lewis County, W. Va.	27.0	15.325
C170-365 B 10-10-69	J. M. Huber Corp.	Cities Service Gas Co., Meadon Field, Alfalfa County, Okla.	Depleted	
C170-366 A 10-10-69	Galaxy Oil Co., 658 Lamar St., Wichita Falls, Tex. 76083	Arkansas Louisiana Gas Co., Kinta and Williamson Fields, Haskell, Le Flore, Latimer, and Pittsburg Counties, Okla.	15.0	14.65
C170-367 A 10-10-69	Herschberger Explorations, Inc., c/o James F. Scott, agent, Post Office Drawer 112, Salem, W. Va. 26426	Consolidated Gas Supply Corp., Union and Elk Districts, Barbour County, and Warren District, Upshur County, W. Va.	\$ 26.0	15.325
C170-368 A 10-13-69	Dynlryk Corp., Post Office Box 347, Odessa, Tex. 75760	Sea Robin Pipeline Co., Block 22, Ship Shoal Area, Offshore Louisiana.	21.25	15.025

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI70-369 A 10-13-69	William A. Sidwell, Jr., et al., 2903 First National Bank Bldg., Denver, Colo. 80202.	Kansas-Nebraska Natural Gas Co., Inc., acreage in Washington County, Colo.	10.0	16.4
CI70-370 B 10-13-69	Marathon Oil Co., 639 South Main St., Findlay, Ohio 45840	Michigan Wisconsin Pipe Line Co., Nichols Field, Kiowa County, Kans.	Depleted	
CI70-371 A 10-13-69	Huntington Oil Co., Inc., 14701 Detroit Ave., Lakewood, Ohio 44107.	The Ohio Fuel Gas Co., Groundhog Creek Field, Meigs County, Ohio.	\$ 27.0	15.025
CI70-372 B 10-14-69	General American Oil Co. of Texas, Meadows Bldg., Dallas, Tex. 75206.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., West Delta Farms Area, Lafourche Parish, La.	Depleted	
CI70-373 A 10-14-69	Midwest Oil Corp., 1700 Broadway, Denver, Colo. 80202.	Sea Robin Pipeline Co., Ship Shoal Area, Offshore Louisiana.	21.25	15.025
CI70-374 A 10-14-69	Service Gas Products Co.	Panhandle Eastern Pipe Line Co., acreage in Dewey County, Okla.	\$ 15.0	14.65
CI70-375 A 10-14-69	Service Gas Products Co.	Panhandle Eastern Pipe Line Co., acreage in Alfalfa, Major, and Woods Counties, Okla.	\$ 15.0	14.65
CI70-376 B 10-15-69	Grant Mullenax (Operator) et al., 401 St. Claire Dr., Owensboro, Ky. 42301.	Texas Gas Transmission Corp., Sugar Creek Field, Hopkins County, Ky.	Depleted	
CI70-377 A 10-15-69	M. F. McCain et al., 730 Lane Bldg., Shreveport, La. 71101.	Texas Gas Transmission Corp., South Bell City Field, Calcasieu Parish, La.	30.0	15.025
CI70-378 A 10-15-69	Sanford P. Faganau (Operator), Praetorian Bldg., Dallas, Tex. 75201.	Lone Star Gas Co., Blue Grove Field Area, Clay County, Tex.	17.0	14.65

¹ Deletes nonproductive acreage.

² Includes 1 cent per Mcf minimum guarantee for liquids and tax reimbursement.

³ Applicant requests that its certificate in Docket No. G-11940 be amended to include those sales now authorized in Dockets Nos. G-7640 and CI65-466 to be made pursuant to its FPC GRS Nos. 296 and 319, respectively, and that the certificates in Dockets Nos. G-7640 and CI65-466 be terminated. No new sales are proposed.

⁴ Applicant requests that its certificate in Docket No. G-11957 be amended to include those sales now authorized in Dockets Nos. G-12614, G-13216, G-16308, CI64-1315, CI64-1316, G-14787, G-17847, G-17029, G-18785, G-12354, CI61-34, G-17903, G-20318, CI69-833, G-17459, and CI69-1070 to be made pursuant to its FPC GRS Nos. 119, 132, 175, 346, 347, 348, 349, 350, 351, 353, 355, 279, 384, 388, 443, and 453, respectively and that the certificates in the latter dockets be terminated. No new sales are proposed.

⁵ Adds acreage acquired from Humble Oil & Refining Co., Docket No. G-5145.

⁶ Acreage sold to pipeline buyer.

⁷ Adds acreage acquired from George L. Buckles, Docket No. CS96-119. Applicant also requests that its certificate be further amended to include those sales now authorized in Dockets Nos. G-13389, G-15061, CI69-605, CI61-914, CI61-915, CI61-913, and CI61-1585 to be made pursuant to its FPC GRS Nos. 135, 157, 235, 252, 253, 254, and 265, respectively, and that the certificates in the latter dockets be terminated.

⁸ Deletes acreage due to expiration or cancellation of nonproducing leases.

⁹ Subject to upward and downward B.t.u. adjustment.

¹⁰ Deletes all acreage in Dewey County from subject contract.

¹¹ Rate in effect subject to refund in Docket No. RI98-618.

¹² By letter dated Aug. 14, 1969, Applicant agreed to accept a permanent certificate at 15 cents per Mcf, plus B.t.u. adjustment for additional acreage.

¹³ Includes 3 cents per Mcf gathering and transportation charge.

¹⁴ Contract provides for rate of 17 cents per Mcf; however, Applicant states its willingness to accept certificate condition to area rate of 15 cents per Mcf.

¹⁵ Subject to deduction for compression, if required.

¹⁶ Less than 500 Mcf per month, rate shall be 22 cents per Mcf; 500 Mcf but less than 1,000 Mcf per month, rate shall be 25 cents per Mcf; 1,000 Mcf or more per month, rate shall be 27 cents per Mcf.

¹⁷ Contract provides for rate of 15 cents per Mcf, subject to B.t.u. adjustment; however, Applicant states its willingness to accept permanent certificate at 15 cents per Mcf, subject to B.t.u. adjustment.

[F.R. Doc. 69-13147; Filed, Nov. 5, 1969; 8:45 a.m.]

- [Docket No. RI70-386 etc.]

TEXACO INC., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

OCTOBER 29, 1969.

The respondents named herein have filed proposed changes in rates and

¹ Does not consolidate for hearings or disposition of the several matters herein.

charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.²

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before December 15, 1969.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

² If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

NOTICES

17971

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI70-386	Texaco, Inc., Post Office Box 3109, Midland, Tex. 79701.	226	2	Natural Gas Pipeline Co. of America (West Panhandle Field, Carson County, Tex.) (RR. District No. 10).	\$722	10-3-69	10-1-69	10-2-69	13.2	13.2495	
	do	337	1	El Paso Natural Gas Co. (East Panhandle Field, Wheeler County, Tex.) (RR. District No. 10).	39	10-6-69	10-1-69	10-2-69	13.0	13.0488	
	do	153	3	Phillips Petroleum Co. (West Panhandle Area, Carson County, Tex.) (RR. District No. 10).	20	10-6-69	10-1-69	10-2-69	9.0	9.0225	
RI70-387	Shell Oil Co., 50 West 30th St., New York, N.Y. 10020.	363	1	Phillips Petroleum Co. (Panhandle Field, Hutchinson County, Tex.) (RR. District No. 10).	108	10-3-69	10-1-69	10-2-69	13.0 13.3851	13.0325 13.4236	
RI70-388	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	334	4	Northern Natural Gas Co. (Hansford Field, Hansford County, Tex.) (RR. District No. 10).	202	10-6-69	10-1-69	10-2-69	15.0	15.0563	
	do	408	2	Transwestern Pipeline Co. (Mendota Field, Roberts and Hemphill Counties, Tex.) (RR. District No. 10).	2,000	10-6-69	10-1-69	10-2-69	17.0	17.0744	
	do	444	2	United Gas Pipe Line Co. (Laura Lavelle Field, Houston County, Tex.) (RR. District No. 6).	685	10-6-69	10-1-69	10-2-69	15.0	15.0656	
	do	455	4	Transwestern Pipeline Co. (Mendota Field, Hemphill County, Tex.) (RR. District No. 10).	5	10-6-69	10-1-69	10-2-69	17.0	17.0744	
RI70-389	Loughorn Production Co. (Operator) et al., 540 Meadows Bldg., Dallas, Tex. 75206.	1	6	Natural Gas Pipeline Co. of America (Boonsville Field, Wise County, Tex.) (RR. District No. 9).	90	10-3-69	10-1-69	10-2-69	14.50	14.5499	
	do	2	2	do	269	10-3-69	10-1-69	10-2-69	14.50	14.5499	
	do	3	2	do	180	10-3-69	10-1-69	10-2-69	14.50	14.5499	
	do	5	2	do	90	10-3-69	10-1-69	10-2-69	14.50	14.5499	
RI70-390	Loughorn Production Co.	6	2	do	225	10-3-69	10-1-69	10-2-69	14.50	14.5499	
RI70-391	Humble Oil & Refining Co. (Operator) et al., Post Office Box 2180, Houston, Tex. 77001.	108	11	Lone Star Gas Co. (Red Springs Field, Smith County, Tex.) (RR. District No. 6).	195	10-6-69	10-1-69	10-2-69	15.0	15.0057	
RI70-392	Humble Oil & Refining Co. (Operator).	414	1	United Gas Pipe Line Co. (Neeches Gas Plant, Cherokee County, Tex.) (RR. District No. 6).	134	10-6-69	10-1-69	10-2-69	14.0	14.035	
RI70-393	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	79	12	Transwestern Pipeline Co. (Waha Field, Reeves County, Tex.) (RR. District No. 8) (Permian Basin Area).	306 (9)	9-29-69	10-1-69	10-2-69	16.40 16.84	16.4389 16.8809	
	do	101	2	Transwestern Pipeline Co. (Halley Field, Winkler County, Tex.) (RR. District No. 8) (Permian Basin Area).	198	10-1-69	10-1-69	10-2-69	17.41	17.49705	
	do	102	2	Natural Gas Pipeline Co. of America (Lochridge-South Pyote Area, Ward County, Tex.) (RR. District No. 8) (Permian Basin Area).	346	10-1-69	10-1-69	10-2-69	14.54773	14.60228	
RI70-394	Marathon Oil Co., agent and (Operator) et al.	82	5	Northern Natural Gas Co. (Yates Casinghead Gas Plant, Pecos County, Tex. (RR. District No. 8) (Permian Basin Area).	88	10-1-69	10-1-69	10-2-69	14.50	14.52025	

¹ The stated effective date is the effective date of the tax increase enacted by the State of Texas.
² The suspension period is limited to 1 day.
³ Tax reimbursement increase.
⁴ Pressure base is 14.65 p.s.i.a.
⁵ Subject to a downward B.t.u. adjustment.
⁶ It cannot be determined under which of Phillips' plants the acreage is dedicated.
⁷ Phillips' rates for resale are in effect subject to refund.
⁸ Subject to downward B.t.u. adjustment. Gas contains approximately 863 B.t.u.'s per cubic foot.

⁹ Rate applicable for seven-eighths of gas.
¹⁰ Rate applicable for one-eighth of gas attributable to royalty-owners.
¹¹ Subject to upward and downward B.t.u. adjustment.
¹² Rate of 19.5 cents suspended in Docket No. RI70-65 until Jan. 3, 1970.
¹³ Includes 0.25-cent dehydration charge.
¹⁴ Residue gas from new gas-well gas.
¹⁵ Corrected by filing of Oct. 2, 1969.
¹⁶ New gas-well gas.
¹⁷ Casinghead gas.
¹⁸ No sales being made.

The proposed rate increases herein reflect the 0.5 percent increase in the production tax from 7 percent to 7.5 percent enacted by the State of Texas on October 9, 1969, to be effective as of October 1, 1969. All of the proposed rates herein exceed the applicable area ceilings for the areas involved as set forth in the Commission's statement of general policy No. 61-1, as amended, with the exception of the rate increase filed by Texaco, Inc. (Texaco), in Supplement No. 3 to Texaco's FPC Gas Rate Schedule No. 153.

Respondents request waiver of the statutory notice to permit their proposed rate increases to become effective as of October 1, 1969, the effective date of the tax increase enacted by the State of Texas. Pursuant to the Commission's Order No. 390 issued October 10, 1969, we believe that it would be in the public interest to waive the statutory notice requirement provided in section 4(d) of the Natural Gas Act to permit an October 1, 1969 effective date for the producers' rate filings and suspend such rate increases from underlying firm rates for 1 day from October 1, 1969, the proposed effective date.

Supplement No. 3 to Texaco Inc. FPC Gas Rate Schedule No. 153 reflects a rate increase based on tax reimbursement from 9 cents to 9.0225 cents per Mcf subject to a downward B.t.u. adjustment for a wellhead sale to Phillips Petroleum Co. (Phillips) in Texas Railroad District No. 10. Phillips gathers and processes the gas and resells the residue to interstate pipeline companies in the area at rates which are in effect subject to refund. Texaco's rate does not exceed the area ceiling rate. However, since Phillips' resale rates are in effect subject to refund, we believe that Texaco's proposed rate increase should be suspended for 1 day from October 1, 1969.

[F.R. Doc. 69-13148; Filed, Nov. 5, 1969; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

TENNESSEE NATIONAL BANCSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by Tennessee National Bancshares, Inc., Maryville, Tenn., for prior approval by the Board of action whereby Applicant would become a bank holding company through the acquisition of at least 80 percent of the voting shares of each of the following banks: The Blount National Bank of Maryville, Maryville; Merchants & Farmers Bank, Greenback; The First National Bank of Oneida, Oneida, all located in the State of Tennessee.

Section 3(c) of the Act provides that the Board shall not approve:

(1) any acquisition or merger of consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the coun-

try may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

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

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

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

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-13240; Filed, Nov. 5, 1969; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR 5011 (Wash.)]

WASHINGTON

Notice of Proposed Withdrawal and Reservation of Land

OCTOBER 30, 1969.

The Bureau of Sport Fisheries and Wildlife, Department of the Interior, has filed an application, Serial Number OR 5011 (Wash.), for the withdrawal of public land described below, from all forms of appropriation under the public land laws, including the mining laws but not from leasing under the mineral leasing laws.

The applicant desires the use of the land known as Puffin Island as an addition to Matia Island National Wildlife Refuge for the management of migratory birds and other wildlife.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 729 Northeast Oregon Street (Post Office Box 2965), Portland, Ore. 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to deter-

mine the existing and potential demand for the land and its resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the land for purposes other than the applicant's, to eliminate land needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the land and its resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the land will be withdrawn as requested by the applicant agency.

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

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

The land involved in the application is:

WILLAMETTE MERIDIAN

T. 38 N., R. 1 W.,
Portions of secs. 28 and 33, unsurveyed,
Puffin Island.

Containing about 10 acres.

VIRGIL O. SEISER,
Chief, Branch of Lands.

[F.R. Doc. 69-13224; Filed, Nov. 5, 1969; 8:46 a.m.]

[Wyoming 21482]

WYOMING

Order Providing for Opening of Public Lands

OCTOBER 30, 1969.

1. In exchanges 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:

SIXTH PRINCIPAL MERIDIAN

GROUP I

T. 46 N., R. 88 W.,
Sec. 29, lots 3 and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 45 N., R. 89 W.,
Sec. 2, lots 5 and 9, and S $\frac{1}{2}$ N $\frac{1}{2}$.
T. 46 N., R. 89 W.,
Sec. 2, lots 6, 7, 8, 9, 10, and 11;
Sec. 7, E $\frac{1}{2}$;
Sec. 25, N $\frac{1}{2}$ S $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 36, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 47 N., R. 89 W.,
Sec. 33, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 34, SE $\frac{1}{4}$;
Sec. 35, S $\frac{1}{2}$ S $\frac{1}{2}$.
T. 53 N., R. 103 W.,
Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 26, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

GROUP II

- T. 39 N., R. 89 W.,
Sec. 6, lot 1;
Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 30 N., R. 90 W.,
Sec. 36, lots 2, 3, 5, 6, and 7.
T. 39 N., R. 90 W.,
Sec. 25, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 36.
T. 39 N., R. 93 W.,
Sec. 16.
T. 28 N., R. 94 W.,
Sec. 36, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$.
T. 30 N., R. 94 W.,
Sec. 36, S $\frac{1}{2}$.
T. 30 N., R. 95 W.,
Sec. 36.

The areas described aggregate 6,117.35 acres.

2. The lands are located in Fremont, Park, and Washakie Counties. The topography ranges from rolling to rough and broken, and the lands have values for watershed, grazing, wildlife, and recreation.

3. The mineral rights in the lands were not exchanged. Therefore, the mineral status of the lands is not affected by this order.

4. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands will at 10 a.m. on December 8, 1969, be open to application, petition and selection under the public land laws with the exception that all lands in Group II are subject to multiple use classification W-6228 and are not open to application under the agricultural land laws (43 U.S.C., Parts 7 and 8; 25 U.S.C. sec. 334), or to public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m. on December 8, 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 1828, Cheyenne, Wyo. 82001.

DANIEL P. BAKER,
State Director.

[F.R. Doc. 69-13225; Filed, Nov. 5, 1969;
8:46 a.m.]

Federal Water Pollution Control
Administration

INTERSTATE WATERS OF THE
COMMONWEALTH OF VIRGINIA

Notice of Standard Setting
Conference

The waters of the Shenandoah River, North and South Forks of the Potomac River, Clinch River, Powell River, New River, Bluestone River, Blackwater River, Meherrin River, Roanoke River, Dan River, Yadkin River, Chowan River, Rappahannock River, Hycro River, James River, Russell Fork of Big Sandy River, Louisa Fork of Big Sandy River, Dry Fork of Tug Fork, Knox Creek, Holston River, North Fork Holston River, North-

west River, North Landing River, York River, Smith River, John Kerr Reservoir, Lake Gaston, Back Bay, Chesapeake Bay and all other coastal and estuarine waters, tidal and nontidal, interstate streams in Virginia Beach, Chesapeake, and Nansemond Counties, and interstate tributaries and subtributaries to such waters of the Commonwealth of Virginia are interstate waters.

The water quality standards established by the Commonwealth of Virginia in accordance with section 10(c) (1) of the Federal Water Pollution Control Act (33 U.S.C. 466g(c) (1)) to be applicable to these waters are determined in part not to be consistent with the protection of the public health and welfare, the enhancement of the quality of the water, and the purposes of the Federal Water Pollution Control Act, as provided by section 10(c) (3) of that Act, with particular reference to:

1. Water use designations;
2. Water quality criteria; and
3. Waste treatment requirements and implementation plans.

Therefore, in accordance with the provisions of section 10(c) (2) of the Federal Water Pollution Control Act (33 U.S.C. 466g(c) (2)), I hereby call a conference to consider the establishment of water quality standards applicable to the above interstate waters of the Commonwealth of Virginia.

The conference will convene on December 9, 10, and 11, 1969, at 9:30 a.m. at Sheraton Motor Inn, Belvidere and Franklin Streets, Richmond, Va., to consider the appropriate water quality standards for the interstate waters of Virginia. I have designated Mr. Murray Stein, U.S. Department of the Interior, as Chairman of the conference.

Parties to the conference will be representatives of Federal departments and agencies, interstate agencies, States, municipalities, and industries who are contributing to, affected by, or have an interest in the water quality standards for the waters to be covered by the conference and who register their intent to be parties at the conference sessions, and such other persons whom the Chairman, upon application and good cause shown, admits as parties to the conference.

Dated: November 3, 1969.

WALTER J. HICKEL,
Secretary of the Interior.

[F.R. Doc. 13263; Filed, Nov. 5, 1969;
8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and
Conservation Service

GRAZING AND HARVESTING OF HAY
ON DIVERTED ACREAGE IN DESIGNATED COUNTIES

Notice of Authorization

Notice is hereby given that the Secretary of Agriculture has authorized the

grazing or harvesting of hay, as indicated, on acreage designated as diverted from the production of crops under the Soil Bank Program (7 CFR Part 750), the Cropland Adjustment Program (7 CFR Part 751), the Cropland Conversion Program (7 CFR Part 751), the Feed Grain Program (7 CFR Part 775), and the Wheat Diversion Program (7 CFR Part 728), in the counties specified in this notice. Grazing and haying on the diverted acreage shall be permitted only when specifically approved by the county ASC committee, or its designee. Grazing and haying shall be subject to the terms and conditions in the regulations for each program and instructions issued with respect thereto, which are available in the county ASCS offices. The designated counties are as follows:

GRAZING AND HARVESTING HAY

ALABAMA

Blount.	Lawrence.
Chambers.	Marion.
Choctaw.	Morgan.
Clarke.	Pickens.
Colbert.	Pike.
Concuh.	Russell.
Crenshaw.	Suiter.
De Kalk.	Tallapoosa.
Fayette.	Tuscaloosa.
Franklin.	Walker.
Jackson.	Washington.
Lauderdale.	Winston.

ARKANSAS

Cleburne.	Nevada.
Izard.	Stone.
Little River.	White.

GEORGIA

Baker.	Grady.
Barrow.	Madison.
Brooks.	Mitchell.
Colquitt.	Seminole.
Decatur.	Stephens.
Early.	Thomas.

IOWA

Adair.	Hardin.
Black Hawk.	Iowa.
Bremer.	Johnson.
Buchanan.	Mitchell.
Butler.	Monroe.
Cerro Gordo.	Muscatine.
Floyd.	Shelby.
Franklin.	Story.
Grundy.	Tama.

KENTUCKY

Allen.	Livingston.
Butler.	Logan.
Calloway.	Lyon.
Carlisle.	Marshall.
Crittenden.	Muhlenberg.
Graves.	Simpson.
Hickman.	Warren.
Hopkins.	

LOUISIANA

Avoyelles.	Madison.
Bienville.	Morehouse.
Bossier.	Natchitoches.
Caddo.	Ouachita.
Caldwell.	Rapides.
Catahoula.	Red River.
Claiborne.	Richland.
Concordia.	Sabine.
De Soto.	Tensas.
East Carroll.	Union.
Franklin.	Webster.
Grant.	West Carroll.
Jackson.	Winn.
Lincoln.	

MISSISSIPPI

Alcorn.
Claiborne.
Clay.
Copiah.
Covington.
Forrest.
Greene.
Hinds.
Holmes.
Jefferson Davis.
Jones.
Kemper.
Lamar.
Lawrence.
Madison.
Marion.
Perry.
Rankin.
Simpson.
Stone.
Walthall.
Warren.
Wayne.
Webster.
Winston.
Yazoo.

MISSOURI

Adair.
Audrain.
Barry.
Bates.
Benton.
Bollinger.
Boone.
Butler.
Callaway.
Cape Girardeau.
Carroll.
Carter.
Cass.
Chariton.
Christian.
Clark.
Clinton.
Cole.
Dade.
Dallas.
De Kalb.
Dent.
Douglas.
Dunklin.
Gentry.
Greene.
Grundy.
Henry.
Howard.
Howell.
Jasper.
Jefferson.
Johnson.
Knox.
Laclede.
Lawrence.
Lewis.
Linn.
Livingston.
McDonald.
Macon.
Mercer.
Miller.
Mississippi.
Moniteau.
Monroe.
Morgan.
Newton.
Oregon.
Ozark.
Pettis.
Pike.
Polk.
Putnam.
Ralls.
Randolph.
Ray.
Reynolds.
Ripley.
Ste. Genevieve.
Schuyler.
Scotland.
Scott.
Shannon.
Shelby.
Stoddard.
Stone.
Sullivan.
Taney.
Texas.
Wayne.
Webster.
Worth.
Wright.

NEBRASKA

Boyd.
Brown.
Cherry.
Custer.
Garfield.
Holt.
Keya Paka.
Loup.
Rock.
Valley.
Wheeler.

NORTH DAKOTA

Golden Valley.

SOUTH DAKOTA

Gregory.
Lyman.
Tripp.

TENNESSEE

Bedford.
Benton.
Carroll.
Cheatham.
Chester.
Clay.
Coffee.
Crockett.
Decatur.
Dyer.
Fayette.
Franklin.
Gibson.
Giles.
Hardeman.
Hardin.
Haywood.
Henderson.
Henry.
Houston.
Humphreys.
Jackson.
Lake.
Lauderdale.
Lawrence.
Lewis.
McNairy.
Macon.
Madison.
Maury.
Meigs.
Montgomery.
Obion.
Perry.
Pickett.
Robertson.
Shelby.
Smith.

TENNESSEE—continued

Stewart.
Sumner.
Tipton.
Trousdale.
Wayne.
Weakley.
Williamson.

TEXAS

Bell.
Bosque.
Brazos.
Burlison.
Camp.
Cass.
Coryell.
Falls.
Franklin.
Hopkins.
Lee.
Mc Lennan.
Milam.
Morris.
Rains.
Robertson.
Shelby.
Titus.
Upshur.
Van Zandt.
Washington.
Wood.

VIRGINIA

Albermarle.
Amherst.
Bath.
Buckingham.
Cumberland.
Fluvanna.
Goochland.
Louisa.
Nelson.
Powhatan.
Rockbridge.

WEST VIRGINIA

Berkeley.
Grant.
Hampshire.
Hardy.
Jefferson.
Mineral.
Morgan.
Pendleton.

GRAZING ONLY

IOWA

Clinton.
Hamilton.
Jones.
Linn.
Louisa.

MISSISSIPPI

Hancock.
Harrison.
Jackson.
Pearl River.

VIRGINIA

Botetourt.
Hanover.

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

CHARLES M. COX,
Acting Deputy Administrator,
State and County Operations,
Agricultural Stabilization and
Conservation Service.

[F.R. Doc. 69-13251; Filed, Nov. 5, 1969;
8:48 a.m.]

Commodity Credit Corporation
SALES OF CERTAIN COMMODITIES

November Sales List

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

1. The U.S. Department of Agriculture announced the minimum prices at which Commodity Credit Corporation (CCC) commodity holdings are available for sale, beginning at 3 p.m., e.s.t., October 31, 1969. These prices, subject to amendment, will continue until superseded by the December Monthly Sales List.

The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, flaxseed, rye, rice, grain sorghum, soybeans,

peanuts, tung oil, cottonseed meal, cottonseed oil, butter, and nonfat dry milk. Soybeans and soybean meal have been added to the list of commodities eligible for CCC credit.

Grain sorghum sales will be made only on-track port, in-store port, or at selected interior terminals basis delivered port.

Information on the availability of commodities stored in CCC bin sites may be obtained from Agricultural Stabilization and Conservation Service State offices shown at the end of the sales list. For commodities stored at other locations, the information may be attained from ASCS commodity and grain offices also shown at the end of the list.

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

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

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

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

3. Interest rates per annum under the CCC Export Credit Sales Program (Regulations GSM-4) for November 1969 are 6½ percent for U.S. bank obligations and 7½ percent for foreign bank obligations. Commodities now eligible for financing under the CCC Export Credit Sales Program include barley, bulgur, cattle (beef and dairy breeding), corn, cornmeal, cotton (upland and extra long staple), cottonseed meal, cottonseed oil, dairy products, flaxseed, grain sorghum, lard, linseed oil, oats, raisins, rice (milled and brown), rye, soybeans, soybean meal, soybean oil, tallow, tobacco, wheat, and wheat flour. These commodities are subject to certain area limitations. Commodities purchased from CCC may be financed for export from private stocks under the GSM-4 regulations.

Information on the CCC Export Credit Sales Program and on commodities available under Title I, Public Law 480, private

trade agreements, and current information on interest rates and other phases of these programs may be obtained from the Office of Assistant Sales Manager, Export Credit, Export Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

4. The following commodities are currently available for new and existing barter contracts: Upland cotton and tobacco. In addition, private stocks of corn, grain sorghum, barley (other than maiting barley), oats, wheat, and wheat flour, and milled and brown rice, under Announcement PS-1, as amended; cottonseed oil and soybean oil under Announcement PS-2; tobacco under Announcement PS-3; upland and extra long staple cotton under Announcement PS-4; and inedible tallow and grease under Announcement PS-5; are eligible for programing in connection with barter contracts covering procurement for Federal agencies that will reimburse CCC. (However, Hard Red Winter, Hard Red Spring, Durum wheats, and flour produced from these wheats may not be exported under barter through west coast ports.) Further information on private-stock commodities may be obtained from the Office of the Assistant Sales Manager, Barter, Export Marketing Service, USDA, Washington, D.C. 20250.

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

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

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

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

CCC reserves the right to refuse to consider an offer, if CCC does not have

adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in this announcement. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

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

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

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

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

Exports to certain countries are regulated by the U.S. Department of Commerce. These restrictions also apply to any commodities purchased from the Commodity Credit Corporation whether sold for unrestricted or restricted use. Countries and commodities are specifically listed in the U.S. Department of Export Control Regulations. Additional information is available from the Bureau of International Commerce or from the offices of the Department of Commerce.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. *Storable*. Market price, as determined by CCC, but not less than 115 percent of the applicable 1969 price-support loan rate² for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

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

C. *Markups and examples (dollars per bushel in-store)*.¹

See footnotes at end of document.

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.10	\$0.07½	Minneapolis—No. 1 DNS (\$1.57) 115 percent +\$0.07½; \$1.89½. Portland—No. 1 SW (\$1.45) 115 percent +\$0.07½; \$1.74½. Kansas City—No. 1 HRW (\$1.45) 115 percent +\$0.07½; \$1.74½. Chicago—No. 1 RW (\$1.45) 115 percent +\$0.07½; \$1.75½.

Export.

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

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

(2) Sales will be made only to fill dollar market sales abroad and exporter must show export from the west coast to a destination west of the 170th meridian, west longitude, and east of the 60th meridian, east longitude, and to ports on the west coast of Central and South America. Dollar sales shall mean sales for dollars and sales financed with CCC credit.

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

SOYBEANS, BULK

Unrestricted use.

A. *Storable*—Port positions (basis Grade 1 in-store). Market price but not less than \$2.61½ per bushel at Great Lakes terminals; \$2.67½ gulf; and \$2.68½ east coast.

Interior positions (basis Grade 1 in-store). Market price but not less than the 1969 base loan rate where stored plus 30½ cents per bushel.

Market discounts will be applied in determining the minimum price of lower grades.

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

Available. Kansas City, Chicago, and Minneapolis ASCS Grain Offices.

CORN, BULK

Unrestricted use.

A. *Storable*—Redemption of domestic payment-in-kind certificates. Market price as determined by CCC, but not less than 115 percent of the applicable 1969 price-support loan rate² for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

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

C. *Markups and examples (dollars per bushel in-store¹ basis No. 2 yellow corn 14 percent M.T. 2 percent F.M.)*.

Markup in-store	Examples
\$0.08½	Feed grain program domestic PIK certificate minimums: McLean County, Ill. (\$1.00+\$0.02½) 115 percent +\$0.05½; \$1.34½.

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

GRAIN SORGHUM, BULK

Unrestricted use.

A. *Storable—Redemption of domestic payment-in-kind certificates.* Sales will be made only on-track port, in-store port, or at selected interior terminals basis delivered port. The minimum price, basis in-store port, will be the market price as determined by CCC but not less than the price support loan rate at port for the applicable class and grade plus 27 cents per hundredweight.

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

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

BARLEY, BULK

Unrestricted use.

A. *Storable—Redemption of domestic payment-in-kind certificates (basis in-store):* Market price, as determined by CCC, but not less than the 1969 price-support loan rate where stored for the class, grade, and quality of the barley plus 22½ cents per bushel if received by truck or 20 cents per bushel if received by rail or barge.

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

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

OATS, BULK

Unrestricted use.

A. *Storable (basis in-store):* Market price, as determined by CCC, but not less than the applicable 1969 price-support rate where stored for the class, grade, and quality of the oats plus 19½ cents per bushel.

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

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

RYE, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 115 percent of the applicable 1969 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.10	\$0.07½	Agriculture Act of 1949; statutory minimums. Rolle County, N. Dak. (\$0.86); 115 percent +\$0.10; \$1.09. Minneapolis, Minn. (\$1.22) 115 percent +\$0.07½; \$1.48½.

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

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

RICE, ROUGH

Unrestricted use.

Market price but not less than 1969 loan rate plus 5 percent, plus 22 cents per hundredweight, basis f.o.b. warehouse.

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

See footnotes at end of table.

FLAXSEED, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than 105 percent of the applicable 1969 price-support rate for the grade and quality of the flaxseed plus the applicable markup.

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

Markup per bushel received by—		Example of minimum price—terminal and price.
Truck	Rail or barge	
\$0.12	\$0.07½	Minneapolis, Minn. (\$3.01); 105 percent + \$0.07½; \$3.23½.

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

Available, Through the Minneapolis ASCS Branch Office.

COTTON, UPLAND

Unrestricted use.

Competitive offers under the terms and conditions of Announcement NO-C-31 (Revised) (Disposition of Upland Cotton—In Liquidation of Rights in a Certificate Pool, Against the "Shortfall," and Under Barter Transactions). Cotton may be acquired at the highest price offered, but not less than the higher of (1) the market price as determined by CCC, or (2) a minimum price determined by CCC which will be based on 110 percent of the price-support loan rate for Middling 1-inch cotton at average location at the time of delivery, plus reasonable carrying charges for the month in which the sale is made. Carrying charges are 15 points per pound. In no event will the price for any cotton be less than 120 points (1.2 cents) per pound above the loan rate for such cotton at the time of delivery.

Export.

CCC disposals for barter. Competitive offers under the terms and conditions of Announcements CN-EX-28 (Acquisition of Upland Cotton for Export Under the Barter Program) and NO-C-31, as amended, at the prices described in the preceding paragraph.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

Competitive offers under the terms and conditions of Announcement NO-C-6 (Revision 2). Extra long staple cotton may be acquired at the highest price offered, but not less than the higher of (1) the market price as determined by CCC, or (2) 115 percent of the current loan rate for such cotton plus reasonable carrying charges for the month in which the sale is made. Carrying charges are 15 points per pound. Notwithstanding the foregoing, until otherwise announced by CCC, cotton will be available under Announcement NO-C-6 in an amount not to exceed the unsold shortfall at the market price, as determined by CCC.

COTTON, UPLAND OR EXTRA LONG STAPLE

Unrestricted use.

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

Availability information.

Sale of cotton will be made by the New Orleans ASCS Commodity Office. Sales an-

nouncements, related forms and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

COTTONSEED OIL, REFINED (BULK)

Export.

Competitive offers under the terms and conditions of Announcement NO-CS-9. Sales will be made only for export to restricted destinations. Oil sold under NO-CS-9 may be exported only against dollar sales or under the CCC export credit sales program (GSM-4).

Available, New Orleans ASCS Commodity Office.

COTTONSEED MEAL, BULK

Unrestricted use.

Competitive offers for meal under the terms and conditions of Announcement NO-CS-8. Delivery periods will commence in November.

Small quantities may be sold on competitive offers in any area if necessary to avoid deterioration or if storage cannot be obtained on a basis satisfactory to CCC.

Available, New Orleans ASCS Commodity Office.

PEANUTS, SHELLED OR FARMERS STOCK

Restricted use sales.

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

GFA Peanut Association, Camilla, Ga. 31730.
Peanut Growers Cooperative Marketing Association, Franklin, Va. 23851.
Southwestern Peanut Growers' Association, Gorman, Tex. 76454.

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

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

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

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

TUNG OIL

Unrestricted use.

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

The quantity offered and the date bids are to be received are announced to the trade in notices of Invitations to Bid, issued by the National Tung Oil Marketing Cooperative, Inc., Poplarville, Miss. 39470.

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

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

Copies of the Announcement or the Invitation may be obtained from the Cooperative

or Oilseed and Special Crops Division, ASCS, Telephone Washington, D.C., area code 202, DU 8-7120.

DAIRY PRODUCTS

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

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

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

Export.

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

BUTTER

Unrestricted use.

Announced prices, under MP-14: 75.25 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 74.5 cents per pound—Washington, Oregon, and California. All other States 74.25 cents per pound.

FOOTNOTES

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

² Round product up to the nearest cent.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

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

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

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

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

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn. 55415. Telephone: Area Code 612, 725-2051.

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

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

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

PROCESSED COMMODITIES OFFICE (ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435. Telephone: Area Code 612, 725-3200.

COTTON OFFICE (ALL STATES)

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

GENERAL SALES MANAGER OFFICES

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

ASCS STATE OFFICES

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

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

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

Kansas, 2801 Anderson Avenue, Manhattan, Kans. 66502. Telephone: Area Code 913, JE 9-3531.

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

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

Minnesota, Room 230, Federal Building and U.S. Courthouse, 318 Robert Street, St. Paul, Minn. 55101. Telephone: Area Code 612, 725-7651.

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

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

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

Ohio, Room 116, Old Federal Building, Columbus, Ohio 43215. Telephone: Area Code 614, 469-6814.

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

Wisconsin, Post Office Box 4248, 4601 Hammersley Road, Madison, Wis. 53711. Telephone: Area Code 608, 254-4441, Ext. 7535.

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

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

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[P.R. Doc. 69-13202; Filed, Nov. 5, 1969; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services
Administration

UNIVERSITY OF CALIFORNIA 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.

Docket No. 70-00214-33-46040. Applicant: University of California, Davis, School of Medicine, Davis, Calif. 95616. Article: Electron microscope, Model EM 98 and spare parts. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used for training purposes, high negative output electron microscopy, low magnification electron microscopy, and general high speed scanning electron microscopy. The specific intended uses are listed below:

a. Training of students, technicians, predoctoral and postdoctoral fellows, and scientists who are unfamiliar with electron microscopy on the operation, theory, and applications of the electron microscope and its relation with Comparative Medicine.

b. Very low magnification electron microscopy for mapping the general structure of lung, liver, brain, and other tissues by stereological and stereometrical analyses of a necessarily large number of electron micrographs.

c. High negative output electron microscopy of a variety of tissues from several species of animals for pathological, physiological, or morphological changes or differences.

d. Low magnification electron microscopy of the granule cells of the gyrus dentata of irradiated and control rat brain.

Application received by Commissioner of Customs: September 26, 1969.

Docket No. 70-00217-01-77030. Applicant: Southeastern Massachusetts Technological Institute, North Dartmouth, Mass. 20747. Article: Nuclear magnetic resonance spectrometer, Model JNM-C-60HL and accessories. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used for both instructional purposes, in connection with programmed instrumental analysis and research which include:

(1) a Carbon 13 study of some cyclic carbohydrate derivatives to aid determination of ring conformation and existence of resonance;

(2) a study of energy differences between diastereomeric carbohydrates by use of nmr at widely different temperatures;

(3) a study of reaction intermediates which will in many cases require use of an internal lock and elevated temperatures.

Application received by Commissioner of Customs: September 30, 1969.

Docket No. 70-00218-65-74600. Applicant: Hines Veterans Administration Hospital, Hines, Ill. 60141. Article: Signal averaging computer, Model DL-102. Manufacturer: Data Laboratories Ltd., United Kingdom. Intended use of article: The article will be used for averaging evoked responses in neurophysiological laboratory and, specifically, to study clinical applications and improved usages of echoencephelographic technique. Application received by Commissioner of Customs: September 30, 1969.

Docket No. 70-00220-33-46040. Applicant: St. Andrews Presbyterian College, Laurinburg, N.C. 28352. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used primarily for the training of undergraduate students. The training of undergraduate students will consist of research problems under the direction of the faculty. Research problems in biology will investigate the ultrastructure of plant and animal cells. Research problems in chemistry will involve studies of the surface configurations of various metals. Application received by Commissioner of Customs: September 30, 1969.

Docket No. 70-00222-00-66700. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: Prevost projector spare parts. Manufacturer: Prevost, Italy. Intended use of article: The article will be used as spare parts to an existing prevost projector. Application received by Commissioner of Customs: September 30, 1969.

Docket No. 70-00221-33-46040. Applicant: The University of Alabama, Birmingham, 1919 Seventh Avenue South, Birmingham, Ala. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, Sweden. Intended use of article: The article will be used to study the ultrastructure of the cardiac conduction system. Current examples of research programs are as follows:

a. To determine the nature and extent of sarcoplasmic reticulum in cells of the His bundle in hamster, dog and man, with particular attention to the question of transverse tubules and a "T system."

b. The problem of categorization of cells and intercellular organization in the AV node.

c. The nature of the transition of the AV nodal cells into cells of the His bundle, with particular reference to fine definition of cell junctions.

d. A careful further examination for structural differences in the sarcolemma of the pacemaker cells as opposed to working myocardium.

Application received by Commissioner of Customs: September 30, 1969.

Docket No. 70-00223-89-74000. Applicant: University of Missouri, Rolla, General Services Building, Purchasing Department, Rolla, Mo. 65401. Article: Portable facsimile seismograph, Model FS-3. Manufacturer: Huntec Ltd., Canada. Intended use of article: The article will be utilized to familiarize the student with the field techniques of refraction seismology. Seismic recordings obtained will be interpreted to determine shallow subsurface structures, thickness of soil and rock formation, and elastic constants of earth materials. Application received by Commissioner of Customs: September 30, 1969.

Docket No. 70-00224-33-46040. Applicant: Colorado State University, Fort Collins, Colo. 80521. Article: Electron microscope, Model EM 9A. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used for instruction and research training of graduate students and faculty. Some of the courses that will utilize the article are as follows:

- AY 561 Ultrastructural Cytology.
- AY 705 Biological Preparations for Electron Microscopy.
- AY 707 Electron Microscope Operation.
- AY 704 Biological Preparations for Electron Microscopy.
- AY 706 Electron Microscope Operation.
- AY 875 Advanced Electron Microscopy.

Currently, 13 graduate students are undergoing training in the Electron Microscope Training Laboratory from 10 departments within four colleges on the campus. Some of the projects under study are:

1. Pathogenesis of high mountain disease in cattle lungs.
2. Effects of viper venoms on skeletal muscle.
3. Virus diseases of potatoes.
4. Morphogenesis of Hamster heart muscle.
5. Morphogenesis of Hamster adrenals.
6. Virus diseases of trout pancreas.
7. Formation of ice crystal nuclei.
8. Thin metallic films.
9. Diffraction of single crystals.
10. Differentiation of bacteria.
11. Nematode parasites.
12. Chiton or Acarines.
13. Contractile vacuoles of amoebae.

Application received by Commissioner of Customs: October 1, 1969.

Docket No. 70-00226-33-46070. Applicant: University of California, Lawrence Radiation Laboratory, East End of Hearst Avenue, Berkeley, Calif. 94720. Article: Scanning electron microscope, Model JSM-U3 with hot stage. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used to provide visual data with regard to sintering of ceramics at high temperatures. Auxiliary uses will include fractography and studies of sur-

faces including fracture surfaces in other Inorganic Materials Research Divisions. In the high temperature area, the hot stage with a capability of at least 1,000 degrees Centigrade is essential. Application received by Commissioner of Customs: October 2, 1969.

Docket No. 70-00227-33-46040. Applicant: Boston University School of Medicine, 78 East Concord Street, Boston, Mass. 02118. Article: Electron microscope, Model Hu-11C. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for virus-cancer research concerning the following projects:

1. Ultrastructural studies of virus-induced sarcoma.
2. Pathogenesis of viral leukemia.
3. Virion ultrastructure.

Application received by Commissioner of Customs: October 3, 1969.

Docket No. 70-00228-33-43400. Applicant: Washington University, Biology Department, Lindell and Skinker, St. Louis, Mo. 63130. Article: Miniature micromanipulator, Model MM-3. Manufacturer: Narishige Scientific Instrument Co., Japan. Intended use of article: The article will be used to insert electrodes into animal tissue while teaching a biology course. Application received by Commissioner of Customs: October 3, 1969.

Docket No. 70-00229-33-46040. Applicant: D.C. Department of Public Health, Bureau of Laboratories, 300 Indiana Avenue, N.W., Washington, D.C. 20001. Article: Electron microscope, Model EM 9A. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used for the following pathological research programs:

a. Morphological characterization and comparison with biopsy specimens from the same patient of Exfoliated Cancer Cells collected by the irrigation method.

b. Identification of earliest nuclear derangements indicative of change from normal cells to malignant cells in persons placed on birth control pills.

c. Effect of Chemo-Therapeutic agents and solvents (Di-methyl Sulfoxide) on the membranes of Mycobacterium tuberculosis and Atypical tubercle bacilli.

d. Role of lysosomes in inflammatory changes associated with pyelonephritis caused by Escherichia coli.

e. Investigation of potential eye and lung damage causable by CM, CS, and Mark IV weapons acquired by Metropolitan Police force.

f. Identification of submicroscopic asbestos particles in the lungs and tissues of urban dweller, who are subjects of accidental death, to determine the extent of air pollution in Metropolitan Washington.

g. Investigation of viral diseases of the nervous system which may be the cause of sudden death of infants in the District of Columbia.

h. Investigation of the collagen dissolving properties of polyvinyl nitrous oxide in cases of chemical and viral hepatitis.

Application received by Commissioner of Customs: October 3, 1969.

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

[P.R. Doc. 69-13210; Filed, Nov. 5, 1969; 8:45 a.m.]

CEDARS-SINAI MEDICAL CENTER

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

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

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

Docket No. 69-00533-33-46040. Applicant: Cedars-Sinai Medical Center, 4833 Fountain Avenue, Los Angeles, Calif. 90029. Article: Electron microscope, Model JEM-7A. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used in connection with the following projects:

a. Survey electron microscopy of the thymus of amphibians, reptiles, birds, and mammals, including normal and diseased tissue will be made.

b. The origin, structure and fate of annulated lamellae within the mucosa of the epididymis will be studied with the electron microscope.

c. The fine structure of "chalk streaks" in breast cancer, the relationship of extracellular fibers to cancer cells and the overall picture of lobular carcinoma will be examined.

d. Studies will be made of red blood cell membranes.

e. Several problems will be examined related to heart diseases. Both experimental and human tissues will be studied.

f. The evolution of cilia and stereocilia and the relationship of stereocilia to secretion, resorption and membrane flow will be investigated.

g. A study of myoid cells of the retina will be made.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: For the purposes for which the foreign article is intended to be used the applicant is required to construct montages at various magnifications ranging from very low to very high powers. The foreign article provides distortion-free microphotographs having a continuous variation between 600 and

250,000 magnifications without requiring the change of a pole piece. The most closely comparable domestic electron microscope is the Model EMU-4B which was formerly manufactured by the Radio Corp. of America (RCA) and is currently being supplied by Forglor Corp. (Forglor). The Model EMU-4B electron microscope provides magnifications of 500 to 70,000 and, after an exchange of pole pieces which involves breaking the vacuum in the column, 1,400 to 240,000. We are advised by the Department of Health, Education, and Welfare (HEW) in a memorandum dated July 23, 1969, that the greater magnification range which is obtained without exchanging pole pieces is a pertinent characteristic of the foreign article for the applicant's intended purposes. We, therefore, find that the RCA Model EMU-4B electron microscope is not scientifically equivalent to the foreign article for the applicant's intended purposes.

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

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

[P.R. Doc. 69-13211; Filed, Nov. 5, 1969; 8:45 a.m.]

UNIVERSITY OF COLORADO

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

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

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

Docket No. 69-00528-33-46040. Applicant: University of Colorado Medical Center, 4200 East Ninth Avenue, Denver, Colo. 80220. Article: Electron microscope, Model JEM-100B. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used in research, teaching of graduate students, and in technical training. In research, an enzyme-labeled antibody technique has been developed for ultrastructural localization of macromolecules. This technique requires the ultimate in resolving power in an electron microscope because of the involvement in the ultrastructural localization of single molecules of hormone, for example. The problems of the graduate students will include high resolution electron microscopy, and low magnification,

low resolution work with minimal manipulation in the switchover from one type of microscopy to the other. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a guaranteed resolving power of 3 angstroms (point to point). The most closely comparable domestic instrument is the Model EMU-4B, manufactured by the Radio Corp. of America (RCA), which has a guaranteed resolution of 5 angstroms (point to point). (The lower the numerical rating in terms of angstrom units, the better the resolving capabilities.)

We are advised by the Department of Health, Education, and Welfare in a memorandum dated July 7, 1969, that the additional guaranteed resolving capabilities of the foreign article are pertinent to the purposes for which the foreign article is intended to be used. For this reason, we find that the RCA Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

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

[P.R. Doc. 69-13212; Filed Nov. 5, 1969; 8:45 a.m.]

PURDUE UNIVERSITY

Amendment to Notice of Application for Duty-Free Entry of Scientific Article

The following notice of application published in Volume 34, No. 94 of the FEDERAL REGISTER (Friday, May 16, 1969) pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) is hereby amended to read: Article: Interferometer, Fabry-Perot standard model instead of Article: Interferometer, Michelson special model with motor.

Docket No. 69-00564-98-40500. Applicant: Purdue University, West Lafayette, Ind. 47907. Article: Interferometer, Fabry-Perot standard model. Manufacturer: SOPRA, France. Intended use of article: The article will be used for the instruction of students in the theory and operation of a Michelson interferometer in the following courses: Physics 351, 352, and 524. The students will learn to adjust the instrument for observation of various fringe systems and they will carry out precise measurements, both relative and absolute, of wavelengths, index of

refraction, wavelength differences, etc. Application received by Commissioner of Customs: May 1, 1969.

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

[F.R. Doc. 69-13213; Filed, Nov. 5, 1969; 8:45 a.m.]

PURDUE UNIVERSITY

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

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

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

Docket No. 69-00564-98-40500. Applicant: Purdue University, West Lafayette, Ind. 47907. Article: Interferometer, Fabry-Perot standard model. Manufacturer: SOPRA, France. Intended use of article: The article will be used for the instruction of students in the theory and operation of a Michelson interferometer in the following courses: Physics 351, 352, and 524. The students will learn to adjust the instrument for observation of various fringe systems and they will carry out precise measurements both relative and absolute, of wavelengths, index of refraction, wavelength differences, etc. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides spacing between reflecting surfaces that is continuously adjustable from 0.075 to 5 millimeters (mm.), both fine and coarse adjustments for parallelism and can be used in either a horizontal or vertical position. We are advised by the National Bureau of Standards (NBS) in a memorandum dated July 23, 1969, that continuously adjustable spacing between reflecting surfaces with both fine and coarse adjustments for parallelism are pertinent characteristics for the purposes for which the foreign article is intended to be used and that it knows of no scientifically equivalent Fabry-Perot interferometer produced in the United States.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such

article is intended to be used, which is being manufactured in the United States.

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

[F.R. Doc. 69-13214; Filed, Nov. 5, 1969; 8:45 a.m.]

PURDUE UNIVERSITY

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

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

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

Docket No. 69-00565-98-40500. Applicant: Purdue University, West Lafayette, Ind. 47907. Article: Interferometer, Michelson standard model. Manufacturer: SOPRA, France. Intended use of article: The article will be used for the instruction of students in the theory and operation of a Michelson interferometer in the following courses: Physics 351, 352, and 524. The students will learn to adjust the instrument for observation of various fringe systems and they will carry out precise measurements, both relative and absolute, of wavelengths, index of refraction, wavelength differences, etc. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides moveable mirrors that can be translated in either direction without backlash and it maintains its parallelism over the entire range of movement to within one-half wavelength. We are advised by the National Bureau of Standards (NBS) in a memorandum dated July 23, 1969, that the lack of backlash and parallelism within one-half wavelength for the entire mirror travel are pertinent characteristics of the foreign article for the purposes for which the foreign article is intended to be used. NBS further advises that comparable domestic instruments such as the Gaertner Michelson, Cenco, and Davidson interferometers are inferior with respect to one or both of these characteristics, and that it knows of no other scientifically equivalent instru-

ment or apparatus produced in the United States.

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

[F.R. Doc. 69-13215; Filed, Nov. 5, 1969; 8:45 a.m.]

PURDUE UNIVERSITY

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

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

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

Docket No. 69-00563-98-40500. Applicant: Purdue University, West Lafayette, Ind. 47907. Article: Interferometer, Michelson special model with motor. Manufacturer: Spora, France. Intended use of article: The article will be used for the instruction of students in the theory and operation of a Michelson interferometer in the following courses: Physics 351, 352, and 524. The students will learn to adjust the instrument for observation of various fringe systems and they will carry out precise measurements, both relative and absolute, of wavelengths, index of refraction, wavelength differences, etc. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides moveable mirrors that can be translated in either direction without backlash, maintains its parallelism over the entire range within one half wavelength and has a synchronous motor mirror drive that allows a continuous scan at constant rates. We are advised by the National Bureau of Standards (NBS) in a memorandum dated July 23, 1969, that the lack of backlash, parallelism within one half wavelength for the entire mirror travel and the mirror drive are pertinent characteristics for the purposes for which the foreign article is intended to be used and furthermore,

there is no scientifically equivalent instrument or apparatus being manufactured in the United States.

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

[F.R. Doc. 69-13216; Filed, Nov. 5, 1969; 8:45 a.m.]

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

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

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

Docket No. 69-00561-33-46040. Applicant: The Rockefeller University, 66th and York Avenue, New York, N.Y. 10021. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for high resolution studies of viruses, viral components, macromolecules such as proteins and nucleic acids macromolecular complexes, and virus-infested cells and cellular organelles, particularly cell membranes. Viruses under study include polio, influenza, parainfluenza, reo and adenoviruses. In addition to high resolution studies of the intact virus particles, extensive examination of components such as capsomeres, nucleocapsids, hemagglutinins, neuraminidase, and viral nucleic acids will be carried out. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article has a guaranteed resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corp. of America (RCA) and is currently being produced by Forgyflo Corp. (Forgflo). The Model EMU-4B electron microscope has a guaranteed resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) In addition the foreign article is equipped with a goniometer stage capable of 0°-360° rotation and plus or minus (±) 60° tilt. The Model EMU-4B electron microscope is equipped with a goniometer stage having a maximum tilt of only ±30°. We are advised by the Department of Health, Education, and Wel-

fare in a memorandum dated August 6, 1969, that a guaranteed resolving capability of 3.5 angstroms and the availability of a goniometer stage having 360° rotation and ±60° tilt are both pertinent to the applicant's intended purposes.

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

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

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

[F.R. Doc. 69-13217; Filed, Nov. 5, 1969; 8:45 a.m.]

STANFORD UNIVERSITY

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

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

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

Docket No. 69-00523-00-40600. Applicant: Stanford University, 820 Quarry Road, Palo Alto, Calif. 94304. Article: Ion source components. Manufacturer: Auckland Nuclear Accessory Co., Ltd., New Zealand. Intended use of article: The article will be used in connection with research and education of graduate students in nuclear physics experiments. These components, when assembled with others manufactured here, will produce beams of polarized protons and deuterons. For scientific research and education, it is important to have available polarized ions, since they allow new experiments not feasible with the domestically produced unpolarized ions. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article consists of an ion source system which in its completed form has the capability to produce polarized protons and deuterons. We are advised by the National Bureau of Standards in a memorandum dated July 2, 1969, that it knows of no domestic instrument or apparatus which is scientifically equivalent to the foreign article for the pur-

poses for which the foreign article is intended to be used.

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

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

[F.R. Doc. 69-13218; Filed, Nov. 5, 1969; 8:45 a.m.]

UNIVERSITY OF TEXAS

Amendment to Notice of Application for Duty-Free Entry of Scientific Article

The following notice of application published in Volume 34, No. 198 of the FEDERAL REGISTER (Wednesday, Oct. 15, 1969) pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) is hereby amended to read: Docket No. 70-00181-33-46070 instead of Docket No. 70-00181-33-46060.

Docket No. 70-00181-33-46070. Applicant: The University of Texas at Austin, Purchasing Office, Box 7306, University Station, Austin, Tex. 78712. Article: Scanning electron microscope, Model JSM-2. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used as a faculty-staff, graduate student, and undergraduate student research tool, as well as a teaching aid in the instruction of a special course in scanning electron microscopy. All research projects involve active participation by graduate students. Application received by Commissioner of Customs: September 8, 1969.

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

[F.R. Doc. 69-13219; Filed, Nov. 5, 1969; 8:45 a.m.]

UNIVERSITY OF WASHINGTON

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

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

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

Docket No. 69-00530-33-46040. Applicant: University of Washington, Medical

School, Department of Pathology, Seattle, Wash. 98105. Article: Electron microscope, Model AEI EM 801 and accessories. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The article will be used for research and training by present and future trainees, as well as by the principal instructors who are experienced electron microscopists. A number of projects concerned with research require the highest resolution available in electron microscopes. These include studies of fibrils, collagen, the components of elastic fiber, and bacteriophage. In addition, high resolution microscopy will be used for studying elementary particles of mitochondrial membranes and isolated ribosomes after negative staining procedures. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a tilt stage with a plus or minus 30° tilt and a guaranteed resolving power of 5 angstroms or better. The most closely comparable domestic instrument is the Model EMU-4B electron microscope manufactured by the Radio Corp. of America (RCA) which provides a tilt stage with a plus or minus 30° tilt, but does not guarantee the resolving power obtainable with this stage. We are advised by the Department of Health, Education, and Welfare in a memorandum dated July 1, 1969, that the guaranteed resolving power of the foreign article with the tilt stage is pertinent to the purposes for which the foreign article is intended to be used, and that theoretically a resolving power of 5 angstroms could not be obtained with the tilt stage provided by RCA. For this reason, we find that RCA Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

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

[P.R. Doc. 69-13220; Filed, Nov. 5, 1969; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 69-104]

GETTY OIL CO.

Registration of House Flag and Funnel Mark

1. The Commandant, U.S. Coast Guard, in accordance with the provisions

of § 3.81, Customs Regulations (19 CFR 3.81), issued under the authority of the Act of May 28, 1908, as amended (46 U.S.C. 49), has registered the house flag and funnel mark of the Getty Oil Co. as described below:

(a) *House Flag.* The house flag is rectangular in shape. The hoist is 4 feet, the fly 6 feet. Superimposed and centered on a white field is the work "Getty." The letter "G" is a modified upper case letter and is red. The remaining letters are orange lower case letters. The Letter "G" is 1' 4 $\frac{3}{8}$ " high, and 1' 3 $\frac{3}{4}$ " wide. Centered within the "G" is a 6 $\frac{1}{2}$ " in diameter red nuclear symbol with a 1 $\frac{3}{4}$ " red dot or ball centered therein. The letter "e" is 1' 3 $\frac{3}{8}$ " high and 11 $\frac{1}{16}$ " wide. Each letter "t" is 1' 1 $\frac{1}{8}$ " high and 6 $\frac{1}{2}$ " wide. The letter "y" is 1' 2 $\frac{1}{8}$ " high and 1' wide.

(b) *Funnel Mark.* The funnel mark is to appear on a white funnel. The insignia consists of a modified upper case letter "G" painted red with an orange color dot or ball set within the letter "G". The distance from the top of the funnel to the top of the letter "G" is 4' 6". The letter "G" is 14' 8" high and 14' 6" wide. The distance from the bottom of the "G" to the fidley deck area is 6' 6". The orange dot or ball set within the letter "G" is 4' 4" in diameter.

2. Colored drawings of the house flag and funnel mark described on file with the Federal Register Division, National Archives and Records Service.

Dated: October 28, 1969.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[P.R. Doc. 69-13228; Filed, Nov. 5, 1969; 8:46 a.m.]

Federal Aviation Administration AIR TRAFFIC CONTROL TOWER AT TWEED-NEW HAVEN AIRPORT, NEW HAVEN, CONN.

Notice of Commissioning

Notice is hereby given that an Air Traffic Control Tower will be commissioned at the Tweed-New Haven Airport, New Haven, Conn., on or about December 1, 1969. It will provide for the safe and expeditious movement of terminal traffic consisting of air carrier, general aviation and air taxi aircraft. Communications to the Air Traffic Control Tower should be addressed as follows:

Air Traffic Control Tower, Department of Transportation, Federal Aviation Administration, Tweed-New Haven Airport, Terminal Building, New Haven, Conn. 06512.

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

Issued in New York, N.Y., on October 23, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[P.R. Doc. 69-13237; Filed, Nov. 5, 1969; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18650; Order 69-10-153]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority October 31, 1969.

Agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates, Docket No. 18650, Agreement CAB 20806, R-59 through R-64.

By Order 69-10-79, dated October 16, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA), relating to specific commodity rates. In deferring action on the agreement 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 69-10-79 will herein be made final.

Accordingly, it is ordered, That: Agreement CAB 20806, R-59 through R-64, be, and it hereby is, approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[P.R. Doc. 69-13245; Filed, Nov. 5, 1969; 8:47 a.m.]

[Docket No. 20993; Order 69-10-154]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Cargo Matters

Issued under delegated authority October 31, 1969.

Agreement adopted by the Traffic Conference of the International Air Transport Association relating to cargo matters, Docket 20993, Agreement CAB 21262, R-1 through R-5, Agreement CAB 21263.

By Order 69-10-85, dated October 17, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA). The agreements amend the existing resolutions governing bulk unitization charges so as to clarify that such charges shall not apply to the carriage of live animals, animal stalls, or human remains, and provide that minimum charges for consignments from Bulgaria/Hungary/Rumania be maintained at the level which existed prior to the recent Athens worldwide cargo conference.

In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support

of or in opposition to the proposed action. No petitions have been received within the filing period and the tentative conclusions in Order 69-10-85 will herein be made final.

Accordingly, it is ordered, That: Agreements CAB 21262, R-1 through R-5 and CAB 21263 be, and hereby are, approved.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-13246; Filed, Nov. 5, 1969;
8:47 a.m.]

[Docket No. 18650; Order 69-10-152]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority October 31, 1969.

Agreement adopted by the Joint Conferences of the International Air Transport Association relating to specific commodity rates, Docket No. 18650, Agreement CAB 20745, R-127 through R-129.

By Order 69-10-77, dated October 16, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA), relating to specific commodity rates. In deferring action on the agreement 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 69-10-77 will herein be made final.

Accordingly, it is ordered, That: Agreement CAB 20745, R-127 through R-129 be, and it hereby is, approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-13247; Filed, Nov. 5, 1969;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 1345]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

OCTOBER 31, 1969.

The following applications are governed by Special Rule 1.247¹ of the Com-

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

mission's general rules of practice (49 CFR 1100.247 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 request shall meet the requirements of § 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 publication hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 531 (Sub-No. 260), filed October 15, 1969. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the plantsite or storage facilities of the Monsanto Chemical Co. located at or near Gonzales and Pensacola, Fla., to points in Louisiana and Texas. 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 St. Louis, Mo., New Orleans, La., or Houston, Tex.

No. MC 531 (Sub-No. 261), filed October 15, 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 vehicles, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Decatur, Ala., to points in Louisiana and Texas. 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 St. Louis, Mo., New Orleans, La., or Houston, Tex.

No. MC 11220 (Sub-No. 116), filed October 7, 1969. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. 38102. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse facilities of Remington Arms Co., Inc., located adjacent to Interstate Highway 40, approximately 5 miles west of Lonoke, Ark., as an off-route point in connection with applicant's regular-route operations between Memphis, Tenn., and Fort Smith, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.; Memphis, Tenn.; or Washington, D.C.

No. MC 16334 (Sub-No. 7), filed October 3, 1969. Applicant: ARNOLD E. DEBRICK, doing business as DEBRICK TRUCK LINE, R.F.D. No. 2, Paola, Kans. Applicant's representative: Erle W. Francis, 719 Capitol Federal Building, 700 Kansas Avenue, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay, clay products, sewer pipe joint compound, waste water pumping stations, and waste water treatment plants*, between points in Kansas, Missouri, and Oklahoma. 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 Topeka, Kans., or Kansas City, Mo.

No. MC 25798 (Sub-No. 200), filed October 6, 1969. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as above). 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, 766 (except commodities in bulk), from the plantsite and/or storage facilities utilized by Wilson & Co., at or near Albert Lea, Minn., to points in Alabama, Georgia, North Carolina, and South Carolina, restricted to traffic originating at the above specified origin and destined to the above-named destination points. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 41116 (Sub-No. 38), filed September 30, 1969. Applicant: FOGLEMAN TRUCK LINE, INC., Post Office Box 1504, Crowley, La. 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper, and paper products, and products produced or distributed by manufacturers and converters of paper and paper products; and (2) materials and supplies used in the manufacture and distribution of the commodities described in (1) (except commodities in bulk, and commodities which because of size or weight require the use of special equipment)*, between the sites of the plant or storage facilities of Boise-Southern Co., in Beauregard Parish, La., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas; under a continuing contract with Boise-Cascade Corp. **NOTE:** Applicant holds common carrier authority under MC-123993 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New Orleans, La.

No. MC 56679 (Sub-No. 33), filed October 17, 1969. Applicant: BROWN TRANSPORT CORP., 125 Milton Avenue SE., Atlanta, Ga. 30315. Applicant's representative: B. K. McClain (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, potatoes, and potato products*, from plantsite and/or warehouse facilities of Ore-Ida Foods, Inc., in Montcalm City, Mich., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, 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 Lansing or Detroit, Mich.

No. MC 59507 (Sub-No. 12), filed October 17, 1969. Applicant: EDGAR H. ALLEN & SONS, INC., Bordentown Avenue, Post Office Box 184, Old Bridge, N. J. 08857. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, ties, wooden poles, wooden piling, forest products, steel piling, structural steel beams, contractors supplies*, between Carteret, N.J., and Newport, Del. on the one hand, and on the other, points in Pennsylvania, New York, Connecticut, and New Jersey. **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 New York, N.Y.

No. MC 59680 (Sub-No. 173), filed October 16, 1969. Applicant: STRICKLAND TRANSPORTATION CO., INC., 3011 Gulden Avenue, Post Office Box 5689, Dallas, Tex. 75222. Applicant's representative: Oscar P. Peck (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon black*, from Tate Cove, Cabot, Carboco, North Bend, and Westlake, La., to points in Wisconsin, Illinois, Indiana, Ohio, New York, Pennsylvania, those points in Michigan on and south of Michigan Highway 21, and St. Louis, Mo. **NOTE:** Applicant states it will tack at Westlake, La., and New York, N.Y., with presently held authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 59680 (Sub-No. 174), filed October 17, 1969. Applicant: STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, 3011 Gulden Avenue, Dallas, Tex. 75222. Applicant's representative: Oscar P. Peck (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment)*, serving the plantsites of the Browning Arms Co., and The Tenbrook Co., at or near Arnold (Jefferson County), Mo., as off-route points in connection with applicant's presently held authority to and from St. Louis, Mo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 60066 (Sub-No. 7), filed October 13, 1969. Applicant: BEE-LINE MOTOR FREIGHT, 1804 Paul Street, Omaha, Nebr. 68102. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 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 by the Commission in Practice of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities*

in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between North Platte and McCook, Nebr., over U.S. Highway 83, serving the intermediate points of Wellfleet and Maywood, and the off-route point of Curtis, Nebr. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 61440 (Sub-No. 122), filed October 17, 1969. Applicant: LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Post Office Box 82488, Oklahoma City, Okla. 73108. Applicant's representative: Richard H. Champlin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading)*, between Fort Wayne, Ind., and Indianapolis, Ind.; From Fort Wayne, Ind., over U.S. Highway 24 to Junction of U.S. Highway 24 and Interstate Highway 69, thence over Interstate Highway 69 to the Junction of Interstate Highway 69 and Indiana Highway 67, thence over Indiana Highway 67 to Indianapolis, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, restricted to the transportation of traffic to and from St. Louis, Mo., and points west thereof. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Washington, D.C.

No. MC 64932 (Sub-No. 482), filed October 16, 1969. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals and related products*, in bulk, in tank vehicles, between the plantsite of Reichhold Chemicals, Inc., located in Grundy County, Ill., 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 Chicago, Ill.

No. MC 70172 (Sub-No. 4), filed October 14, 1969. Applicant: BERNARD J. KIRK, 672 Roosevelt Avenue, Pawtucket, R.I. 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: *Such commodities as are dealt in by retail department stores, and, in connection therewith, materials, supplies, fixtures, and equipment used in the operation of such stores*, between Cumberland, R.I., and Danvers, Mass. **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 Providence, R.I.

No. MC 70172 (Sub-No. 5), filed October 15, 1969. Applicant: BERNARD J. KIRK, 672 Roosevelt Avenue, Pawtucket, R.I. 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: *Malt beverages*, in containers, and *advertising materials* moved therewith, from Merrimac, N.H., to Providence, R.I. 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 Providence, R.I.

No. MC 71452 (Sub-No. 6), filed October 20, 1969. Applicant: INDIANA TRANSIT SERVICE, INC., 4300 West Morris Street, Indianapolis, Ind. 46241. Applicant's representative: David A. Sutherland and Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between the Weir-Cook Municipal Airport (near Indianapolis, Ind.), on the one hand, and, on the other, points in Allen, Whitley, Huntington, Kosciusko, Wells, Jefferson, Adams, Ripley, Vanderburgh, Gibson, Warrick, Spencer, and Knox Counties, Ind., restricted to shipments having a prior or subsequent movement by aircraft. 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 Indianapolis, Ind.

No. MC 72442 (Sub-No. 31), filed October 10, 1969. Applicant: AKERS MOTOR LINES, INCORPORATED, Post Office Box 579, Gastonia, N.C. 28052. Applicant's representatives: Lennox O. Boyles (same address as above), also Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. 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, tobacco, liquor, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), serving the plantsite of Deering Milliken, Inc., in Bacon County, Ga., as an off-route point in connection with carrier's existing regular route authority. Note: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Charlotte, N.C.

No. MC 73165 (Sub-No. 273), filed October 15, 1969. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Post Office Box 1348, Birmingham, Ala. 35201. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic and 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 Nashville, Tenn., or Washington, D.C.

No. MC 76436 (Sub-No. 38), filed October 8, 1969. Applicant: SKAGGS TRANSFER, INC., 2400 Ralph Avenue, Louisville, Ky. 40216. Applicant's representative: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Cadiz, Ky., and Memphis, Tenn.; From Cadiz, Ky., over U.S. Highway 68 to Hardin, Ky., thence over U.S. Highway 641 to Paris, Tenn., thence over U.S. Highway 79 to Milan, Tenn., thence over U.S. Highway 45E to its junction with U.S. Highway 45, thence over U.S. Highway 45 to its junction with Interstate Highway 40, thence over Interstate Highway 40 to its junction with Interstate Highway 240, thence over Interstate Highway 240 to Memphis, Tenn., and return over the same route, serving no intermediate points. Restriction: Service at Memphis, Tenn., and its commercial zone is restricted against the handling of traffic originating at, destined to, or interchanged at Nashville, Tenn., and its commercial zone; and Evansville, Ind., and its commercial zone. Note: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 92983 (Sub-No. 538), filed October 17, 1969. Applicant: ELDON MILLER, INC., Post Office Box 2503, Kansas City, Mo. 64142. Applicant's representative: Eldon Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and vegetable oils, including blends thereof*, in bulk, from St. Joseph, Mo., to Topeka, Kans., and Omaha, Nebr. 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, Mo.

No. MC 94201 (Sub-No. 78), filed September 18, 1969. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Gadsden, Ala. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *com-*

mon carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the plantsite of Glasrock Products, Inc., at or near Barton, Ala., on the one hand, and, on the other, points in Kentucky, Illinois, Indiana, Ohio, 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 Atlanta, Ga., or Washington, D.C.

No. MC 94350 (Sub-No. 237), filed October 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 above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, from points in Charleston County, S.C., to points east of the Mississippi River, including Louisiana and Minnesota. 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 Charleston or Columbia, S.C.

No. MC 94350 (Sub-No. 240), filed October 13, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, and *buildings*, complete or in sections, from points in Cherokee County, S.C., to points in the United States excluding 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 Columbia, S.C.

No. MC 94350 (Sub-No. 241), filed October 13, 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 movements, (1) from points in Washington County, Md., to points in the United States (excluding Alaska and Hawaii); and (2) from points in Williams County, Ohio, 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 Washington, D.C.

No. MC 94350 (Sub-No. 242), filed October 9, 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: (1) *trailers* designed to be drawn by passenger automobiles in initial movements, and (2) *buildings*, complete or in sections, from points in Stanley County, 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. 243), filed October 20, 1969. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Post Office Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* designed to be drawn by passenger automobiles in initial movements, and (2) *buildings*, complete and in sections, from points in Franklin County, N.C., to points east of the Mississippi River, including Louisiana. **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 Charlotte, N.C.

No. MC 95540 (Sub-No. 765), filed October 10, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, furniture parts, and accessories therefor, textiles, and textile products*, between points in Alabama, Florida, Georgia, North Carolina, and South Carolina, on the one hand, and, on the other, points in New Mexico, Oklahoma, and Texas. **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 Atlanta, Ga.

No. MC 95540 (Sub-No. 766), filed October 10, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Maine and New York to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsyl-

vania, South Carolina, Tennessee, Texas, Vermont, Virginia, and West Virginia; restricted to traffic originating in Canada. **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 Boston, Mass., or Washington, D.C.

No. MC 95540 (Sub-No. 767), filed October 15, 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: *Meats, meat products, and meat by-products*, from Dodge City, Kans., to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia. **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 Kansas City, Mo., or Washington, D.C.

No. MC 100666 (Sub-No. 151), filed October 17, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112 and Paul Caplinger, Post Office Box 7666, Shreveport, La. 71107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe*, between points in Cooke County, Tex., on the one hand, and, on the other, points in Louisiana, Missouri, Oklahoma, and Texas. **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, however applicant 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 100666 (Sub-No. 152), filed October 17, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112 and Paul Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, products produced or distributed by manufacturers and converters of paper and paper products; and (2) materials and supplies used in the manufacture and distribution of the commodities described in (1) above (except commodi-*

ties in bulk, and commodities which, because of size or weight, require the use of special equipment), between the plantsites and storage facilities of Boise-Southern Co. in Beauregard Parish, La., on the one hand, and, on the other, points in the continental United States. **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 Shreveport, La.

No. MC 100666 (Sub-No. 153), filed October 20, 1969. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112 and Paul L. Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic and iron fittings and connections, valves, hydrants and gaskets*, from Fort Smith, Ark., 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 Little Rock, Ark.

No. MC 103993 (Sub-No. 466), filed October 12, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: 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: *Steel bar coil and strip steel*, between Canton, Ohio, on the one hand, and, on the other, Kankakee, Peoria, and Rock Island, Ill. **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 Cleveland, Ohio.

No. MC 103993 (Sub-No. 469), filed October 8, 1969. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition boards, and materials, and accessories used in the installation thereof*, from points in Henry County, Tenn., to points in Maryland, Delaware, Pennsylvania, New Jersey, Connecticut, New York, Massachusetts, Rhode Island, Maine, Vermont, New Hampshire, Tennessee, and the District of Columbia; and (2) *materials used in the manufacture of composition boards*, from the above named destination States to points in Henry County, Tenn. **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 104149 (Sub-No. 187), filed October 1, 1969. Applicant: OSBORNE TRUCK LINE, INC., 516 North 31st Street, Birmingham, Ala. Applicant's

representative: William P. Jackson, Jr., 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and contractor's equipment, materials and supplies*, between Montgomery and Birmingham, Ala., on the one hand, and, on the other, points in North Carolina and South Carolina. **NOTE:** Applicant states that although there are no present plans to tack, tacking will be accomplished as possible and required but 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 Birmingham, Ala.

No. MC 104149 (Sub-No. 188) filed October 15, 1969. Applicant: OSBORNE TRUCK LINE, INC., 516 North 31st Street, Birmingham, Ala. Applicant's representative: William P. Jackson, Jr., 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, fittings, valves, hydrants, gaskets, and accessories* for the above named articles, from Birmingham, Ala., to points in North Carolina and South Carolina. **NOTE:** Applicant states although there are no present plans, tacking will be accomplished as possible and required. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 105413 (Sub-No. 37), filed October 13, 1969. Applicant: PETROLEUM TRANSPORT SERVICE, INC., Highway No. 275, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer, fertilizer solutions, and anhydrous ammonia*, in bulk in tank vehicles, from Audubon, Iowa, to points in Kansas, Minnesota, Missouri, 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 Omaha, Nebr., or Kansas City, Mo.

No. MC 105813 (Sub-No. 171), filed October 17, 1969. Applicant: BELFORD TRUCKING CO., INC., 3500 Northwest 79th Avenue, Miami, Fla. 33148. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packing-houses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from the plantsite and/or storage facilities of Wilson & Co., Inc., located at or near Albert Lea, Minn., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina,

restricted to traffic originating at the above named plantsite and/or storage facilities and destined to the above named States. **NOTE:** Common control may be involved. If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 106398 (Sub-No. 426), filed October 15, 1969. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull and Fred Rahal, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from Todd County, Ky., to all points in the United States (except Alaska and Hawaii). **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority; however applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Bowling Green, Ky.

No. MC 106407 (Sub-No. 24) (Amendment), filed August 20, 1969, published in the *Federal Register* issue of September 25, 1969, and republished as amended, this issue. Applicant: T. E. MERCER TRUCKING CO., a corporation, 920 North Main, Post Office Box 1809, Fort Worth, Tex. 76101. Applicant's representative: Claye Binion, III, Post Office Box 17007, Century Life Building, Fort Worth, Tex. 76101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe*, 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. This republication is for the purpose of reflecting Arkansas as a destination State. If a hearing is deemed necessary, applicant requests it be held at Fort Worth or Dallas, Tex.

No. MC 106943 (Sub-No. 102), filed October 6, 1969. Applicant: EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. 47801. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Philadelphia, Pa., on the one hand, and, on the other, points in New Jersey within a 50-mile radius of Union, N.J. Restriction: No service to be performed between any two points both of which are located east of the Ohio-Pennsylvania State line. **NOTE:** Applicant states that the purpose of the instant application is to add an alternative gateway to the presently authorized Union, N.J., gateway (MC 106943 Sub-No. 65). Applicant further states that this applica-

tion is for joinder only. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 107227 (Sub-No. 108), filed October 17, 1969. Applicant: INSURED TRANSPORTERS, INC., 1944 Williams Street, San Leandro, Calif. 94577. Applicant's representative: John G. Lyons, 1418 Mills Tower, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled all terrain vehicles*, in truck-away service, from Reno, Nev., to points in California. **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 San Francisco, Calif.

No. MC 107403 (Sub-No. 783), filed October 17, 1969. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooking oil*, in bulk, from Carnegie, Pa., to points in Alabama, Florida, Georgia, Maryland, Michigan, New York, North Carolina, Ohio, South Carolina, and Virginia. **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 107515 (Sub-No. 680), filed October 14, 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 applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles* distributed by meat packinghouses as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Albert Lea, Minn., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to traffic originating at the named plantsite and cold storage facilities and destined to the above named States. **NOTE:** Applicant states that it could tack with its authority in MC 107515 Sub 507 at Gatesville, N.C., to serve Virginia, but that tacking is not contemplated at this time. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Atlanta, Ga.

No. MC 107515 (Sub-No. 681), filed October 16, 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: *Unexposed photographic paper, unexposed photographic film, photographic chemicals*, in vehicles equipped with mechanical refrigeration, from Atlanta, Ga., to points in North Carolina, South Carolina, Tennessee, Florida, Mississippi, and Alabama. 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 Atlanta, Ga., or New York, N.Y.

No. MC 108207 (Sub-No. 273), filed October 6, 1969. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766*; (1) from Austin, Minn., to points in Louisiana, Texas, and Memphis, Tenn.; (2) from Mitchell and Huron, S. Dak., to points in Arkansas, Louisiana, Mississippi, Oklahoma, Texas and Memphis, Tenn.; and (3) from Fort Dodge, Iowa, and Fremont, Nebr., to Memphis, Tenn.; restricted to traffic originating at plantsites and/or warehouse facilities of Geo. A. Hormel & Co., and destined to the States and points named above. NOTE: If a hearing is deemed necessary, applicants requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 111170 (Sub-No. 133), filed September 24, 1969. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, Ark. 71730. Applicant's representative: Thomas Harper, Post Office Box 43, Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Acids and chemicals*, in bulk, from El Dorado, Ark., to points in New Jersey and Mississippi; (2) *petroleum solvent extract*, from Tulsa and Cushing, Okla., to West Memphis, Ark. 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 Little Rock, Ark., or Memphis, Tenn.

No. MC 111231 (Sub-No. 167), filed October 16, 1969. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. 72764. Applicant's representative: Gregory M. Rebman, 314 North Broadway, St. Louis, Mo. 63102. 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, corpses, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the plantsite of Remington Arms Co., a subsidiary of E. I. du Pont de Nemours Co., near Lonoke, Ark., as an off-route point in connection with appli-

cant's regular route authority in MC 111231. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC 112822 (Sub-No. 129) (Correction), filed September 19, 1969, published in FEDERAL REGISTER issue October 9, 1969, and republished as corrected, this issue. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Carpet, carpets, carpeting, yarn, floor covering, and padding*, and materials, supplies, and equipment used in the installation thereof, from points in Oklahoma to points in the United States (except Alaska and Hawaii) and (2) *materials and supplies and equipment used in the manufacture of carpet, carpets, carpeting, yarn, floor covering, and padding*, from points in the United States (except Alaska and Hawaii) to Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. The purpose of this republication is to show in part (2) to Oklahoma which was erroneously omitted. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 112822 (Sub-No. 130), filed October 15, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Pine Bluff, Ark., to points in Oklahoma, Texas, Kansas, Missouri, Colorado, and New Mexico. 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., or Oklahoma City, Okla.

No. MC 112822 (Sub-No. 132), filed October 20, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and closures therefor*, (1) from Okmulgee, Okla., to points in New Mexico, (2) from Sand Springs, Okla., to points in Idaho, Montana, Oregon, Utah, Washington, Wyoming, New Mexico, and those in Colorado on and east of U.S. Highway 87, and (3) from Sapulpa, Okla., to points in Idaho, Montana, Oregon, Utah, Washington, Wyoming, Texas, Colorado, and New Mexico. 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 Oklahoma City or Tulsa, Okla.

No. MC 112963 (Sub-No. 16), filed October 13, 1969. Applicant: ROY BROS., INC., 764 Boston Road, Billerica, Mass. 01821. Applicant's representative: Leonard E. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bags, and in bulk, from Albany, N.Y., to points in Connecticut, Maine, 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, Mass.; Concord, N.H.; or Albany, N.Y.

No. MC 113535 (Sub-No. 12), filed September 26, 1969. Applicant: A & W TRUCKING CO., INC., Rural Route No. 2, Box 370, Mosinee, Wis. 54455. 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: *Paper and paper products*, from Mosinee, Green Bay, Nekeosa, Port Edwards, Appleton, Menasha, Columbus, and Plover, Wis., and Dubuque, Iowa, to points in Grant, Iowa, and points in Lafayette County, Wis., Jo Daviess and Carroll Counties, Ill.; points in Clayton, Delaware, Dubuque, Jones, Jackson, and Clinton Counties, Iowa (except Dubuque, Iowa). 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 114334 (Sub-No. 19), filed October 13, 1969. Applicant: BUILDERS TRANSPORTATION COMPANY, a corporation, 3265 Tulane Road, Memphis, Tenn. 38116. Applicant's representative: Dale Woodall, 900 Memphis Bank Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between Memphis, Tenn., and points in Kentucky. NOTE: Applicant states it could tack with its pending Sub 18 within the Memphis commercial zone to provide a service from points on the Arkansas River in Arkansas to points in Kentucky. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 115840 (Sub-No. 49), filed October 16, 1969. Applicant: COLONIAL FAST FREIGHT LINES, 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: *Iron and steel articles*, from points in Shelby County, Tenn., to points in North Carolina, South Carolina, and Kentucky. 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 Memphis or Nashville, Tenn., or Birmingham, Ala.

No. MC 116119 (Sub-No. 22), filed October 14, 1969. Applicant: John F. Harris, doing business as HOGAN'S TRANSFER & STORAGE COMPANY, 112 South Davis Avenue, Elkins, W. Va. 26241. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured milk and dairy products, honeys, syrups, dips, spreads, margarines, and oleomargarines*, in containers, between points in Pennsylvania, Ohio, West Virginia, Virginia, Maryland, and the District of Columbia, under a continuing contract with Elkins Baking Co., Inc., of Elkins, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 116273 (Sub-No. 120), filed October 16, 1969. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Napoleon, Mich., to points in Williams, Fulton, Henry, DeLancey, Paulding, and Putnam Counties, Ohio. 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 Chicago, Ill., or Lansing, Mich.

No. MC 116414 (Sub-No. 6), filed September 8, 1969. Applicant: WILLIAM G. MCGROSSEN, doing business as MCGROSSEN CARTAGE COMPANY, 6550 West Forest Home Avenue, Milwaukee, Wis. 53220. Applicant's representative: Thomas J. Regan, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glue stock*, from Waukegan, Ill., to Oak Creek, 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 Milwaukee, Wis.

No. MC 116725 (Sub-No. 15), filed October 16, 1969. Applicant: INDIAN VALLEY ENTERPRISES, INC., 855 Maple Avenue, Harleysville, Pa. 19438. Applicant's representative: John W. Frame, Box 626, 2207 Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, between Buffalo, N.Y., on the one hand, and, on the other, points in New York and Pennsylvania. 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 117212 (Sub-No. 6), filed October 7, 1969. Applicant: LEAMINGTON TRANSPORT (WESTERN) LIMITED, Box 188, Leamington, Ontario, Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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 Carriers Certificates, 61 M.C.C. 209 and 766* (except hides and commodities in bulk), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at Logansport, Ind., and cold storage facilities utilized at Lafayette, Ind., to the ports of entry on the international boundary line between the United States and Canada located at or near Noyes, Minn., Pembina, N. Dak., and Detroit, and Port Huron, Mich., restricted to traffic originating at the above specified plantsite and/or cold storage facilities and destined to the above specified destination points for international movement. 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.

No. MC 117395 (Sub-No. 18), filed October 14, 1969. Applicant: SOUTHERN CEMENT TRANSPORT, INC., Post Office Box 188, Okay, Ark. 71854. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mineral filler* (ground limestone), in bulk, in tank vehicles, from Okay Junction, Ark., to points in Louisiana in and north of the following parishes: Vernon, Rapides, La Salle, Catahoula, and Concordia, under a continuing contract with The Ideal Cement Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 118831 (Sub-No. 67), filed October 13, 1969. Applicant: CENTRAL TRANSPORT, INCORPORATED, Box 5044, Uwharrie Road, High Point, N.C. Applicant's representative: Harry C. Ames, Jr., 666 11th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Sumner siding (Rowan County), N.C., to points in Georgia, North Carolina, South Carolina, 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., or Raleigh, N.C.

No. MC 118959 (Sub-No. 54), filed October 16, 1969. Applicant: JERRY LIPPS, INC., 130 South Frederick, Cape Girardeau, Mo. 63701. Authority sought to operate as a *common carrier*, by motor ve-

hicle, over irregular routes, transporting: *Paper and paper products, and equipment materials, and supplies* used in the manufacture and processing of paper and paper products, except commodities in bulk, between Taylorville, Ill., and points in Alabama, Arkansas, Arizona, California, Florida, Georgia, Kentucky, Massachusetts, Maryland, Mississippi, Minnesota, Louisiana, North Carolina, New Mexico, New York, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Washington, Wisconsin, Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract authority under MC 125664, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo. or Chicago, Ill.

No. MC 119302 (Sub-No. 5), filed October 16, 1969. Applicant: MILLER TRANSFER AND RIGGING CO., a corporation, Post Office Box 6077, Akron, Ohio 44312. Applicant's representative: A. David Millner, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Magnets and magnet laminations* for atomic research, between the plantsite of Valley Machine Co. at Martins Ferry, Ohio, on the one hand, and, on the other, points in the United States (except points in Alaska and Hawaii); under a continuing contract or contracts with Valley Machine Co. of Martins Ferry, Ohio. NOTE: Applicant holds common carrier authority under MC 87103, therefore, dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Cleveland, Ohio, or Pittsburgh, Pa.

No. MC 119643 (Sub-No. 8), filed August 19, 1969. Applicant: RUSSELL TRUCKING COMPANY, INCORPORATED, 4923 Old Midlothian Pike, Richmond, Va. 23225. Applicant's representative: Donald R. Beverley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbonated beverages* in nonreturnable glass and cans, from Braddock, Pa., to Alexandria, Bristol, Danville, Keyville, Marion, Newport News, Norton, Onancock, Portsmouth, Pulaski, Roanoke, Warrenton and Winchester, 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 Charlottesville or Richmond, Va.

No. MC 119777 (Sub-No. 165), filed October 10, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooling towers and/or fluid coolers and parts thereof, and lumber*, from points in San Joaquin County, Calif., to all points in the United States (except Alaska and Hawaii). NOTE: Common control and

dual operations 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 Nashville, Tenn.

No. MC 119974 (Sub-No. 28), filed October 20, 1969. Applicant: L. C. L. TRANSIT COMPANY, a corporation, 520 North Roosevelt Street, Green Bay, Wis. 54305. Applicant's representative: Charles E. Dye (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk, in tank vehicles), from Champaign, Ill., to points in that part of the Lower Peninsula of Michigan north of the northern boundary of Muskegon, Kent, Montcalm, Gratiot, Midland, Gladwin, Arenac, and Iosco Counties, Mich.; points in Iowa (except Ottumwa, Burlington, Keokuk, and points in their commercial zones, and points in that portion of Iowa bounded by U.S. Highway 18 from Marquette to Garner on the north, U.S. Highway 69 from Garner to Des Moines on the west, and U.S. Highway 6 from Des Moines to Davenport on the south; points in Ohio, Kentucky, and Sharon, Pa., restricted to traffic originating at the plantsites and/or storage facilities of Kraftco at or near Champaign, Ill. 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 Chicago, Ill.

No. MC 120836 (Sub-No. 5), filed October 10, 1969. Applicant: BARTON LYMAN, doing business as LYMAN TRUCK LINE, Post Office Box 377, Blanding, Utah 84511. Applicant's representative: William S. Richards, 1605 Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, and commodities requiring special equipment). Between Phoenix and Fredonia, Ariz., (1) from Phoenix over Arizona Highway 69 to Junction Arizona Highway 79, thence over Arizona Highway 79 (Interstate 17) to Flagstaff, thence over U.S. Highway 89 to Junction Alternate U.S. Highway 89 near Bitter Springs, Ariz., thence over Alternate U.S. Highway 89 to Fredonia, and return over the same route; (2) from Phoenix over U.S. Highway 89 to Junction Alternate U.S. Highway 89, thence over Alternate U.S. Highway 89 to Flagstaff, thence over U.S. Highway 89 to Junction Alternate U.S. Highway 89 near Bitter Springs, Ariz., thence over Alternate U.S. Highway 89 to Fredonia, and return over the same route; and (3) from Phoenix over U.S. Highway 89 to Junction Alternate U.S. Highway 89 near Bitter Springs, Ariz., thence over Alternate U.S. Highway 89 to Fredonia, and return over the same route; (1), (2), (3) above serving Flagstaff as an intermediate point, and the off-route point of Tuba City. If a hearing is deemed necessary, Applicant requests it be held at Salt Lake City, Utah, or Phoenix, Ariz.

No. MC 123061 (Sub-No. 49), filed October 6, 1969. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah 84104. Applicant's representative: Harry D. Pugsley, 400 El Paso Gas Building, 315 East Second South, Salt Lake City, Utah 84111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, (1) from points in Benton, Clatsop, Columbia, Lane, Linn, Marion, Polk, and Yamhill Counties, Oreg., to points in Idaho north of and including Nez Perce, Lewis, and Idaho Counties; (2) from points in Clackamas, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake, Lincoln, Morrow, Multnomah, Sherman, Tillamook, Wallowa, Wasco, Washington, and Wheeler Counties, Oreg., to points in Utah and Idaho; (3) between points in Idaho on the one hand, and on the other points in Montana and Washington, and (4) between points in Washington on the one hand, and on the other, points in Montana and Oregon. NOTE: Applicant states that it will tack in Idaho to serve points in California, Montana, Utah, and Colorado. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Boise, Idaho.

No. MC 123061 (Sub-No. 50), filed October 13, 1969. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah. Applicant's representative: Harry D. Pugsley, 400 El Paso Gas Building, Salt Lake City, Utah. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Salt (sodium chloride), salt cake, sodium sulphate and potassium sulphate*, in bulk or in bags (loose or on pallets); *magnesium chloride in bulk, magnesium chloride brine or bitterns*, from plant at Little Mountain, approximately 12 miles west of Ogden, Utah, to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, 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 Salt Lake City, Utah.

No. MC 123067 (Sub-No. 97), filed October 8, 1969. Applicant: M & M TANK LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102. Applicant's representative: B. M. Shirley, Jr. (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber and flooring*, from the plantsite of Birmingham Forest Products, Inc., at Cordova, Ala., to points in Florida, Georgia, North Carolina, and South Carolina. 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 Washington, D.C., or Atlanta, Ga.

No. MC 123407 (Sub-No. 63), filed October 16, 1969. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha

Avenue, Minneapolis, Minn. 55404. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Adhesive cement and materials, ingredients, and accessories* used in the installation thereof, from points in Wayne County, Mich., to points in Minnesota, Wisconsin, Illinois, Iowa, 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 Chicago, Ill.

No. MC 124174 (Sub-No. 73), filed September 23, 1969. Applicant: MOMSEN TRUCKING CO., a corporation, Highways 71 and 18 North, Spencer, Iowa 51301. Applicant's representative: Karl E. Momsen, 6801 L Street, Omaha, Nebr. 68117. 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* described in sections A and C of appendix I to report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except hides and commodities involved) and *foodstuffs* except meats, meat products, meat byproducts and articles distributed by meat packinghouses, from the plantsite and/or warehouse facility of the Geo. A. Hormel & Co., Austin, Minn., to points in Virginia, West Virginia, those in Hertford County, N.C., and Sullivan County, Tenn., restricted to traffic originating at the plantsite and/or warehouse facility of Geo. A. Hormel & Co. and destined to the named points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124211 (Sub-No. 137), filed October 8, 1969. Applicant: HILT TRUCK LINE, INC., 1415 South 35th Street, Post Office Drawer H, Council Bluffs, Iowa 51501. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over (A) Regular routes: *Plumbing fixtures, materials, and supplies, and accessories*, serving points in Knox County, Ill., and the plantsite and warehouses of William H. Harvey Co. at Omaha, Nebr., as intermediate and off-route points in connection with carrier's presently authorized regular route operations; (B) Irregular routes: (1) *Plumbing fixtures, materials, and supplies, and accessories*, from points in Columbiana County, Ohio, and Armstrong County, Pa., to points in the United States west of U.S. Highway 61, except Hawaii; (2) *Paint, and plumbing materials and supplies, and chemical compounds*, (a) from Omaha, Nebr., to points in the United States, except Hawaii; and, (b) from points in Kentucky, Missouri, and Texas, to Omaha, Nebr. Restriction: The authority sought herein, to the extent that 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.

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 Omaha, Nebr.

No. MC 124341 (Sub-No. 3), filed September 28, 1969. Applicant: LAWRENCE LAWYER, 747 North Indiana Street, Mooresville, Ind. 46158. Applicant's representative: Robert C. Smith, 620 Illinois Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Expanded shale* (Haydite), in bulk, from Brooklyn, Ind., to points in Ill.; points in Michigan on and south of Interstate Highways 196 and 96; and points in Campbell, Kenton, Boone, Gallatin, Carroll, Trimble, Oldham, Jefferson, Bullitt, Meade, Breckinridge, Hancock, Daviess, and Henderson Counties, Ky. Restriction: Limited to a transportation service to be performed under a continuing contract or contracts with Hydraulic Press Brick Co. of Brooklyn, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 124796 (Sub-No. 52), filed October 10, 1969. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15945 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: (1) *Air conditioning equipment, furnaces and water heaters, and parts and accessories for air conditioning equipment, furnaces and water heaters*, (a) from Tyler, Tex., to points in the United States (except Alaska and Hawaii); (b) from Industry, Calif., to points in Alabama, Georgia, Florida, Kentucky, South Carolina, North Carolina, West Virginia, Virginia, Maryland, Delaware, District of Columbia, Pennsylvania, New Jersey, New Hampshire, Massachusetts, Connecticut, Rhode Island, Vermont, and Maine; (2) *returned shipment and materials, supplies and equipment used in the manufacture and distribution of air conditioning equipment, furnaces and water heaters*, (a) from the destination points to the respective origin points specified in 1(a) and 1(b) above; and (3) *air filters, air cleaners or filtering machines* from Murray, Ky., to Morrison and Collierville, Tenn.; Syracuse, N.Y.; Indianapolis, Ind., and Industry, Calif., under contract with Carrier Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y., or Washington, D.C.

No. MC 125081 (Sub-No. 3), filed October 15, 1969. Applicant: EIDSON & USSERY, INC., Route No. 2, Marshall, Mo. 65340. Applicant's representative:

Joseph R. Nacy, 117 West High Street, Post Office Box 352, Jefferson City, Mo. 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt*, from Hutchinson, Kans., to all plantsites, exchanges or other facilities of Missouri Farmers Association located in Missouri; (2) *twine*, from New Orleans, La., to all plantsites, exchanges or other facilities of Missouri Farmers Association located in Missouri; (3) *oyster shell*, from Houston, Tex., to all plantsites, exchanges, or other facilities of Missouri Farmers Association located in Saline, Buchanan, Boone, Carroll, Chariton, Howard, Cooper, Pettis, Johnson, and Lafayette Counties, Mo.; (4) *paper*, in rolls, from Pasadena and Houston, Tex., to all plantsites, exchanges or other facilities of Missouri Farmers Association located in Saline, Boone, Carroll, Chariton, Howard, Cooper, Pettis, Johnson, and Lafayette Counties, Mo.; and (5) *animal and poultry feeds*, from Kansas City, Kans., to points in Saline, Boone, Carroll, Chariton, Howard, Cooper, Pettis, Johnson, and Lafayette Counties, Mo.; and (6) *calcium*, from the site of Columbia Quarries, at or near Valmeyer, Ill., to points in Saline, Boone, Carroll, Chariton, Howard, Cooper, Pettis, Johnson, and Lafayette Counties, Mo. 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 Jefferson City, Kansas City, or St. Louis, Mo.

No. MC 126222 (Sub-No. 10) (Correction), filed October 6, 1969, published in the FEDERAL REGISTER issue of October 23, 1969, and republished as corrected this issue. Applicant: JOSEPH A. SIEFERT AND JOSEPH J. SIEFERT, a partnership, doing business as SIEFERT BROS. TRUCKING CO., Post Office Box 310, Du Quoin, Ill. 62832. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bar stools*, from the plantsite of Turco Manufacturing Co., at Du Quoin, Ill., to points in the United States (except Alaska and Hawaii), under contract with Turco Manufacturing Co. NOTE: This republication is for the purpose of reflecting Siefert Bros. Trucking Co., as the trade name. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 126899 (Sub-No. 38), filed October 9, 1969. Applicant: USHER TRANSPORT, INC., 3925 Benton Road, Paducah, Ky. 42001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and incidental advertising material* when shipped in connection with malt beverages; return movement, *returned empty malt beverage containers* (used) in transporting malt beverages, (1) from La Crosse and Sheboygan, Wis., to Milwaukee, Wis., on shipments having immediate prior or subsequent movement by rail; (2) from La Crosse and Sheboygan, Wis., to points in Ohio, Indiana, and the Lower

Peninsula of Michigan; and (3) from Newport, Ky., to points in the Lower Peninsula of Michigan, Pennsylvania, New York, and North Carolina. 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 La Crosse, Wis.

No. MC 128007 (Sub-No. 21), filed October 2, 1969. Applicant: HOFER, INC., 4032 Parkview Drive, Post Office Box 583, Pittsburg, Kans. 66762. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic fabrications*, from the plantsite of Polytron, Inc., located in Barton County, Mo., to points in the United States (except Alaska and Hawaii); (2) *material and supplies* used in plastic fabrications, from points in the United States (except Alaska and Hawaii), to the plantsite of Polytron, Inc., located in Barton County, Mo.; and (3) *oil well sealing mixture*, from the plantsite and storage facilities of Gravette Shelling Co., Inc., at Gravette, Ark., to points in Louisiana, Oklahoma, Texas, New Mexico, Mississippi, Alabama, Kansas, Colorado, 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 Tulsa, Okla.

No. MC 128722 (Sub-No. 1) filed October 9, 1969. Applicant: STANDARD CARTAGE CO., INC., 86-70 Francis Lewis Boulevard, Hollis, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Humidifiers, lawn sprinklers, garden tools, garden implements and parts thereof, and materials, supplies, equipment and machinery* used in the manufacture and shipping of above articles, between Moonachie, N.J., on the one hand, and on the other, points in New York, Pennsylvania, Connecticut, and Massachusetts, under contract with Melnor Industries, Division of Beatrice Foods Co., and/or Walton Division of Melnor Industries. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 128939 (Sub-No. 7), filed September 29, 1969. Applicant: AYRCO CORPORATION, 3921 Imlay Street, Toledo, Ohio 43612. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer and malt beverages*, from the plantsites of the G. Helleman Brewing Co. located at Sheboygan, and La Crosse, Wis., and Newport, Ky., to Toledo, Ohio; and *empty containers, rejected or damaged merchandise*, on return, under contract with Seaway Beverage Co. NOTE: Applicant states it presently holds authority in MC 128939 (Sub-No. 2) which duplicates in part authority requested herein. If a hearing

is deemed necessary, applicant requests it be held at Toledo, Ohio, or Chicago, Ill.

No. MC 129080 (Sub-No. 1), filed October 15, 1969. Applicant: CHARLES CORBISHLEY, doing business as QUICKWAY, 99 Union Road, Spring Valley, N.Y. 10977. 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: (1) *Dresses* on hangers, and *such commodities* as are dealt in or used by chain grocery or department stores, from Paramus and Mahwah, N.J., to Burlington, Vt., Plattsburgh and Albany, N.Y., and Westchester and Sunbury, Pa., and (2) *surplus and damaged merchandise*, from Burlington, Vt., Plattsburgh and Albany, N.Y., and Westchester and Sunbury, Pa., to Paramus and Mahwah, N.J., under contract with Grand Union Co., East Paterson, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 133631 (Sub-No. 2), filed October 6, 1969. Applicant: AAA DELIVERY SYSTEM, INC., Post Office Box 1148, Flint, Mich. 48501. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paint and paint test samples, color panels, and communication media* (orders, reports, business forms, memorandum, etc.), (1) between Toledo, Ohio, on the one hand, and, on the other, Detroit, Pontiac, and Flint, Mich., and (2) between Flint, Mich., on the one hand, and, on the other, Detroit, Mich., and Toledo, Ohio, under contract with E. I. du Pont de Nemours & Co., restricted to transportation between plants and facilities of E. I. du Pont de Nemours & Co.; and transportation between said Du Pont plants and facilities, on the one hand, and, on the other, Detroit Metropolitan Airport. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 133722 (Sub-No. 2), filed October 9, 1969. Applicant: PAUL LAWRENCE DRUMMOND, Rural Delivery, Parksley, Va. 23421. Applicant's representative: Alfred Lynch, c/o Perdue Foods, Inc., Box 1537, Salisbury, Md. 21801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* in special operations, from points in Northampton and Accomack Counties, Va., to Perdue Foods, Inc., Salisbury, Md., and return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salisbury, Md.

No. MC 133930 (Sub-No. 1), filed September 19, 1969. Applicant: GENE PIKE AND KIRK PIKE, a partnership, doing business as PIKE & SONS MOVERS, 418 South Spring Street, Lexington, Ky. 40508. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Used household goods*, between points in Kentucky in and east of Trimble, Henry, Shelby, Anderson, Washington, Boyle, Lincoln, Pulaski, and McCreary Counties, Ky., 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 it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Lexington, Ky.

No. MC 133939 (Sub-No. 2), filed October 14, 1969. Applicant: IMPERIAL AIR FREIGHT SERVICE, INC., 151 Oliver Street, Newark, N.J. 07105. Applicant's representative: Charles E. Creager, Suite 1609, 11215 Oak Leaf Drive, Silver Spring, Md. 20901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except classes A and B explosives, commodities in bulk, and those requiring special equipment, between John F. Kennedy Airport, Jamaica, N.Y., La Guardia Airport, Flushing, N.Y., and Newark Airport, Newark, N.J., on the one hand, and, on the other, points in Orange County, N.Y., restricted to shipments having prior or subsequent movement by air. 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 134080, filed September 15, 1969. Applicant: CERTIFIED HEATING OILS, INC., 2970 Amboy Road, Staten Island, N.Y. 10306. Applicant's representative: Silvio P. Marraccini, 2803 Hylan Boulevard, Staten Island, N.Y. 10306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline fuel oils* in tank vehicles, from Staten Island, N.Y., to Carteret, Newark, Port Reading, and Elizabeth, N.J., and return, under contract with Major's Department Store, Staten Island, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 134101, filed October 13, 1969. Applicant: EMPIRE WAREHOUSE COMPANY, a corporation, doing business as EMPIRE MOVING & STORAGE CO., 9201 Empire Avenue, El Paso, Tex. 79925. Applicant's representative: Richard B. Perrenot, 525 Southwest National Bank Building, El Paso, Tex. 79901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Interstate Commerce Commission, between points in El Paso, Hudspeth, and Culberson Counties, Tex., and Dona Ana and Otero Counties, N. Mex., 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 it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at El Paso or Fort Worth, Tex.; or Albuquerque, N. Mex.

No. MC 134103, filed October 13, 1969. Applicant: GARAFALO & SONS, INC., 142-144 21st Street, Brooklyn, N.Y. 11232. Applicant's representative: Herbert Burstein, 30 Church Street, New York, N.Y. 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ships stores*, between points in the New York, N.Y., commercial zone on the one hand, and, on the other, Bayonne, Bayway, Carteret, Port Reading, Woodbridge, Perth Amboy, South Amboy, Trenton, Bellmawr, Paulsboro, and Camden, N.J.; Palmyra, Philadelphia, Marcus Hook, and Chester, Pa.; and (2) *Machinery and parts thereof*, between points in the New York, N.Y., commercial zone on the one hand, and, on the other, points in Warren, Essex, Hudson, Passaic, and Union Counties, N.J.; restricted to shipments having a prior or subsequent movement by water in foreign commerce. 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 134112, filed October 17, 1969. Applicant: ALLEN & SPITTLER, INC., 3204 South 121st Street, Omaha, Nebr. 68144. Applicant's representative: Duane W. Ackle, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hides, pelts, skins, switches, or tails, and pieces thereof*, (a) from Denison, Iowa, to the plantsite and warehouse facilities of Lackawanna of Omaha, Inc., at Omaha, Nebr.; and (b) from the plantsite and warehouse facilities of Lackawanna of Omaha, Inc., at Omaha, Nebr., to points in the United States in, east and north of Michigan, Ohio, West Virginia, and Virginia, and to points in Wisconsin, and Chicago, Ill.; New Orleans, La., and San Francisco, Calif.; and (2) *such commodities* as are used by or dealt in by processors and distributors of commodities named in (1) above, (a) from destinations named in "(1)(b)" above, to the plantsite of warehouse facilities of Lackawanna of Omaha, Inc., at Omaha, Nebr., and (b) from the plantsite or warehouse facilities of Lackawanna of Omaha, Inc., at Omaha, Nebr., to Hackettstown, N.J. Restriction: The authority sought herein is to be restricted to transportation services to be performed, under a continuing contract, or contracts with Lackawanna of Omaha, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

MOTOR CARRIERS OF PASSENGERS

No. MC 3677 (Sub-No. 49), filed October 9, 1969. Applicant: W.M.A. TRANSIT COMPANY, a corporation, 4421 Southern Avenue SE., Washington, D.C. 20019. Applicant's representative: Woodrow W. Miller (same address as applicant). Authority sought to operate

as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, newspapers, express, and mail* in the same vehicle with passengers, (1) between Washington, D.C., and Friendship Airport, near Baltimore, Md., from Washington over Interstate Highway 95 to junction Maryland Route 176 thence over Maryland Route 176, to National Security Building at Friendship Airport, and return over the same route, serving no intermediate points, and (2) between junction Interstate Highway 95 and Maryland Highway 197, and junction Maryland Highway 32 and Interstate Highway 95, from junction Interstate Highway 95 and Maryland Highway 197 over Maryland Highway 197 to Laurel, thence over Maryland Highway 198 to Fort Meade, thence over Maryland Highway 32 to junction Interstate Highway 95, and return over the same route, serving no intermediate points on Interstate Highway 95, and serving all intermediate points on Highways 197, 198, and 32. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123916 (Sub-No. 14), filed October 14, 1969. Applicant: GROVE CITY BUS LINES, INC., Rural Delivery No. 4, Grove City, Pa. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, in the same vehicle with passengers*, (1) between Warren and Ravenna, Ohio, over Ohio Highway 5, and return over the same route, serving all intermediate points and (2) between Warren and Aurora, Ohio, from Warren over Ohio Highway 5 to its intersection with Ohio Highway 82 to Aurora, and return over the same route serving all intermediate points. **NOTE:** Applicant states the authority sought herein will be conducted in conjunction with existing authority held by the applicant to engage in regular route service. If a hearing is deemed necessary, applicant requests it be held at Columbus or Cleveland, Ohio.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130047 (Sub-No. 1) (Correction), filed August 18, 1969, published in FEDERAL REGISTER issue of September 24, 1969, and republished as corrected this issue. Applicant: SOL ZELLER TOURS, INC., 820 Ocean Parkway, Brooklyn, N.Y. 11230. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. For a license (BMC-5) to engage in operations as a broker at New York, N.Y., in arranging for the transportation in interstate or foreign commerce of *Passengers and their baggage*, both as individuals and charter groups, between points in the United States. **NOTE:** The purpose of this republication is to show applicant intends to act as a broker at

New York, N.Y., in lieu of Brooklyn, N.Y., as previously published.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 531 (Sub-No. 257), filed September 2, 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: *Petroleum grease* in bulk, in tank vehicles, from the plantsite of International Lubricant Co., New Orleans, La., to points in Alabama, Michigan, Ohio, and West Virginia. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority.

No. MC 133928 (Sub-No. 1), filed October 16, 1969. Applicant: ANTHONY H. OSTERKAMP, JR., doing business as OSTERKAMP TRUCKING, 764 North Cypress Street, Orange, Calif. 92666. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products, and building materials, and materials and supplies* used in the manufacture, installation or distribution thereof, from the plantsite of the United States Gypsum Co. at or near Plaster City, Calif., to points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington under a continuing contract with the United States Gypsum Co.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-13188; Filed, Nov. 5, 1969;
8:45 a.m.]

[Notice 440]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 3, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71474. By order of October 29, 1969, the Motor Carrier Board ap-

proved the transfer to Amadel, Inc., New York, N.Y., of a portion of certificate No. MC-109186 issued November 22, 1950, to New York & Worcester Express, Inc., Carlstadt, N.J., authorizing the transportation of: General commodities, with the usual exceptions, between New York, N.Y., and points in specified counties in New Jersey, in a radial movement. Arthur J. Piken, 160 Jamaica Avenue, Jamaica, N.Y. 11432, and Maxwell A. Howell, 1511 K Street NW., Washington, D.C. 20005, attorneys for applicants.

No. MC-FC-71680. By order of October 29, 1969, the Motor Carrier Board approved the transfer to Dick's Auto Express, Inc., Syracuse, N.Y., of the certificate and certificate of registration in Nos. MC-17825 and MC-17825 (Sub-No. 2) issued March 20, 1957, and February 28, 1964, respectively, to Fred's Express, Inc., Syracuse, N.Y., authorizing the transportation of general commodities, with usual exceptions, between Syracuse, N.Y., and Norwich, N.Y., serving all intermediate points; and between Syracuse, N.Y., and Williamson, N.Y., serving all intermediate points, and evidencing a right to engage in transportation corresponding to rights granted by the New York Public Service Commission in certificate No. 2902 dated February 18, 1957. Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y. 13202, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-13248; Filed, Nov. 5, 1969;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

RAJAC INDUSTRIES, INC.

Order Suspending Trading

OCTOBER 31, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Rajac Industries, Inc., a New York corporation, and all other securities of Rajac Industries, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 3, 1969, through November 12, 1969, both dates inclusive.

By the Commission.

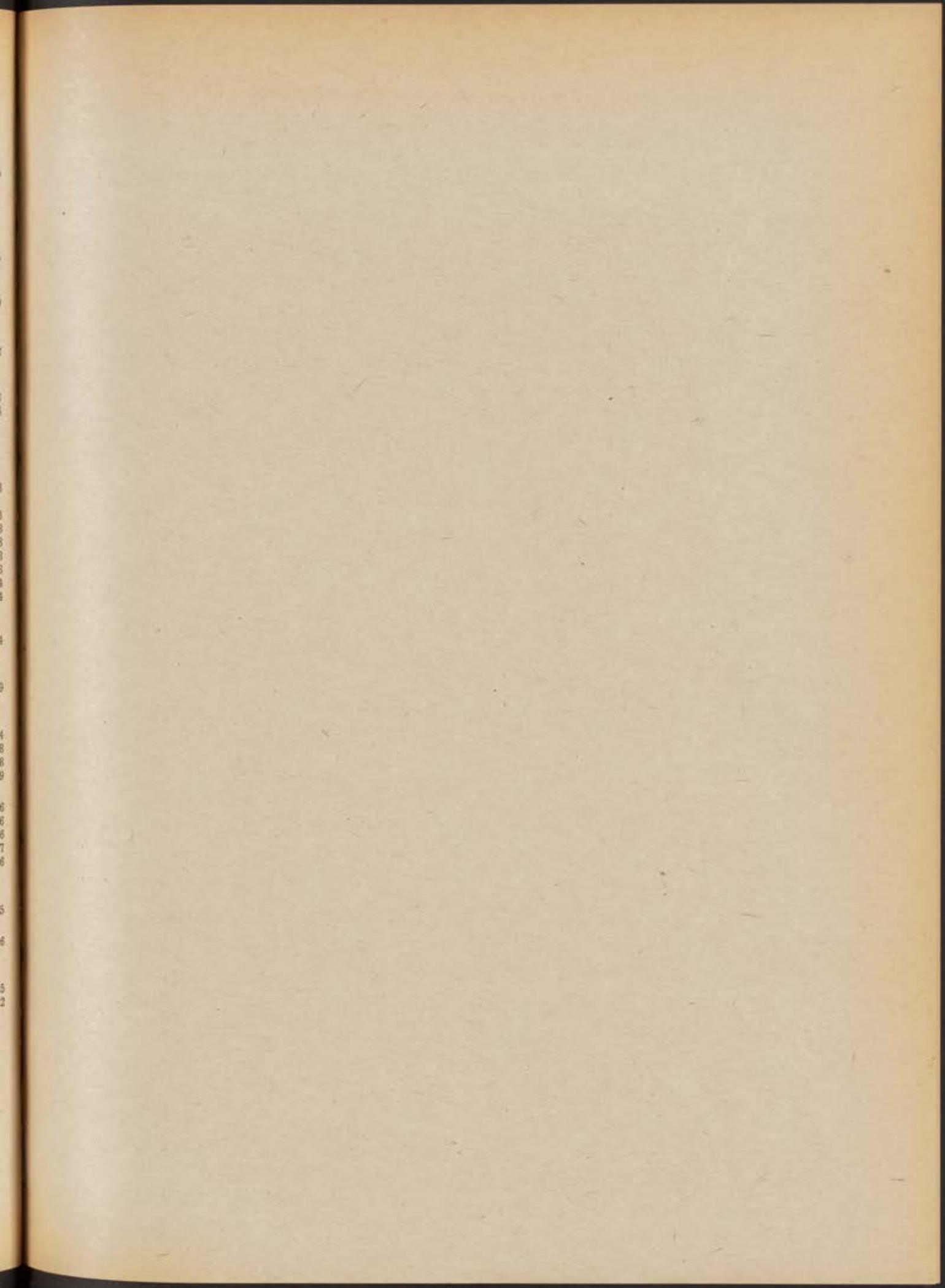
ORVAL L. DUBOIS,
Secretary.

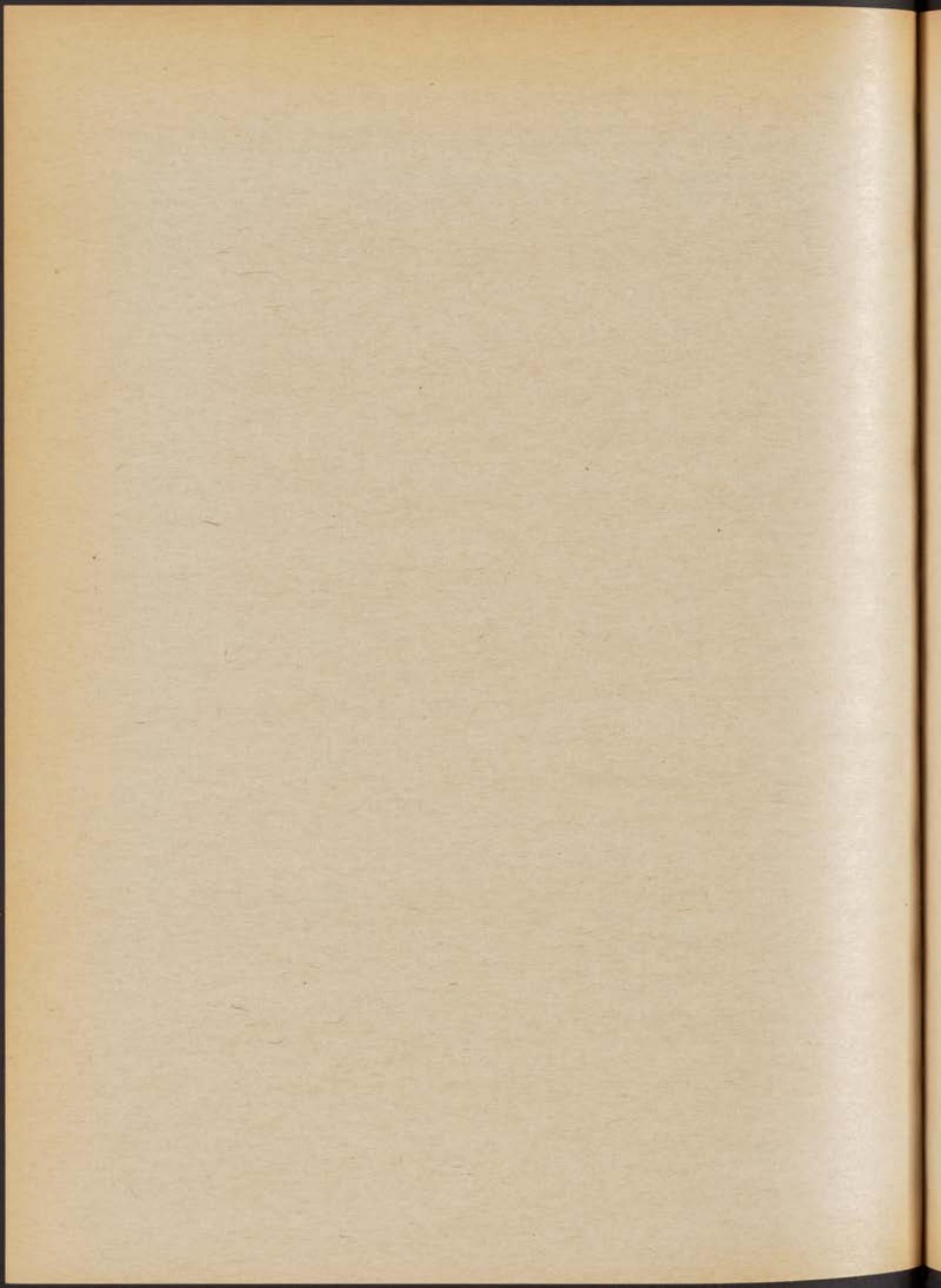
[P.R. Doc. 69-13227; Filed, Nov. 5, 1969;
8:46 a.m.]

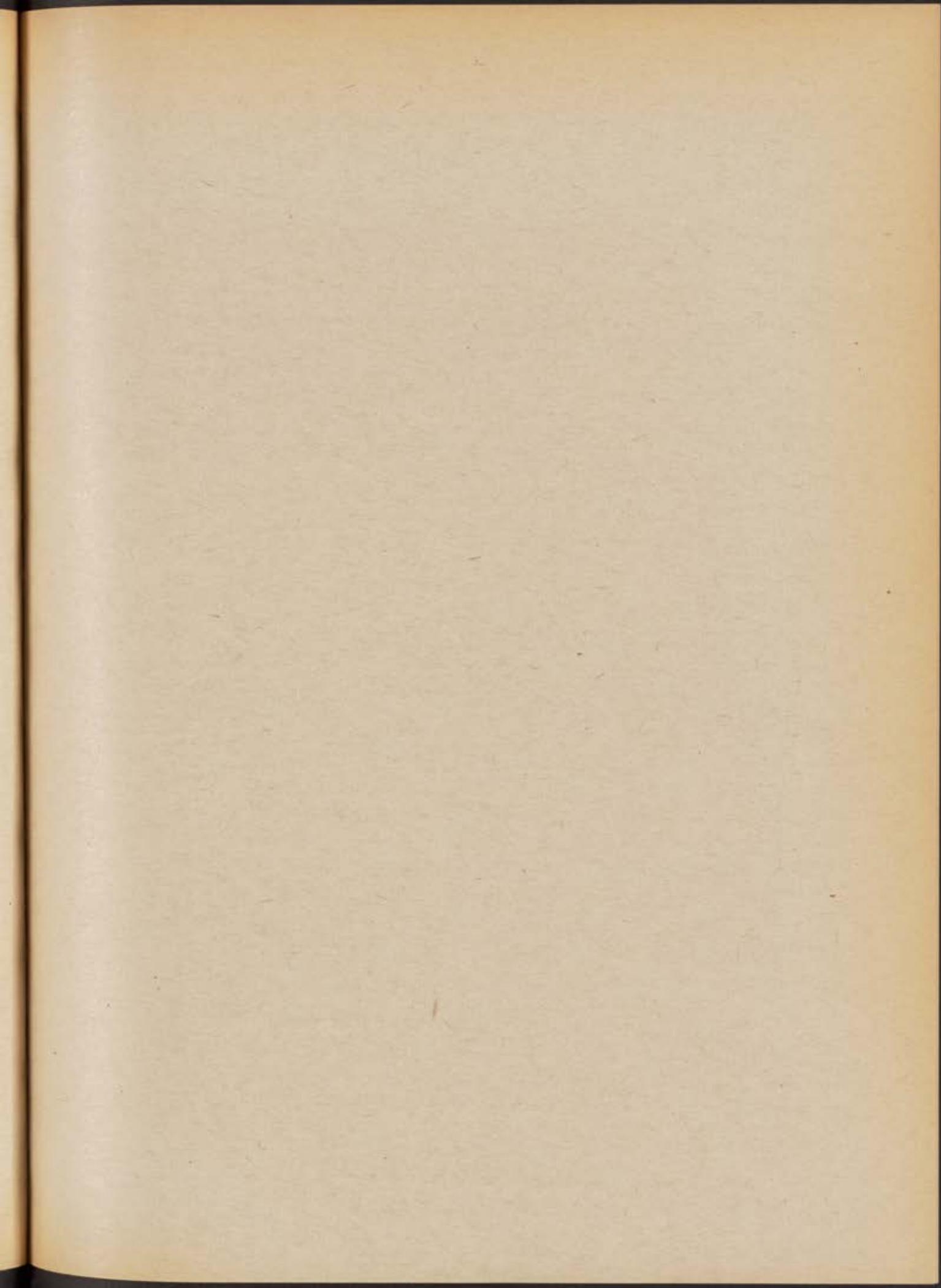
CUMULATIVE LIST OF PARTS AFFECTED—NOVEMBER

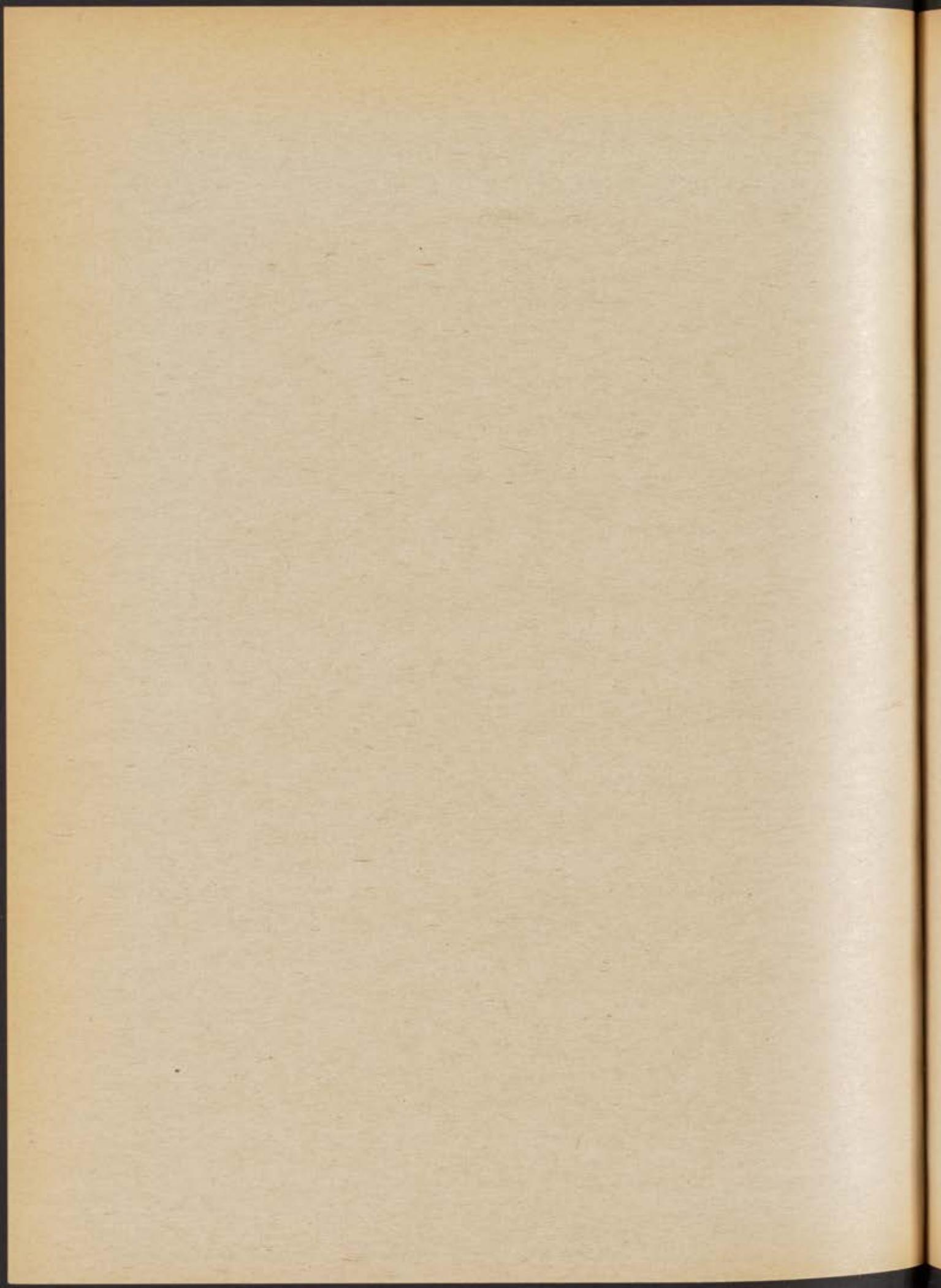
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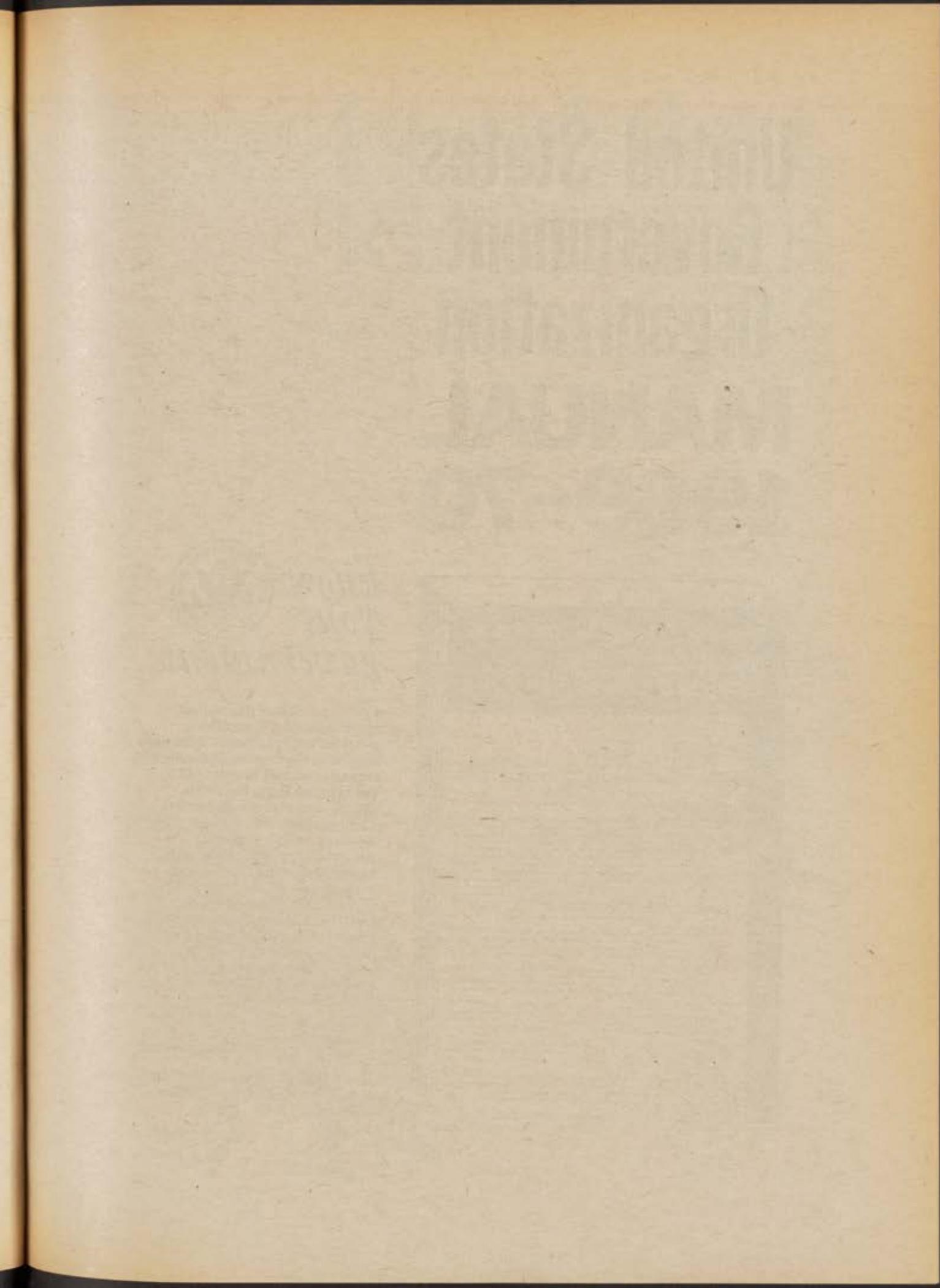
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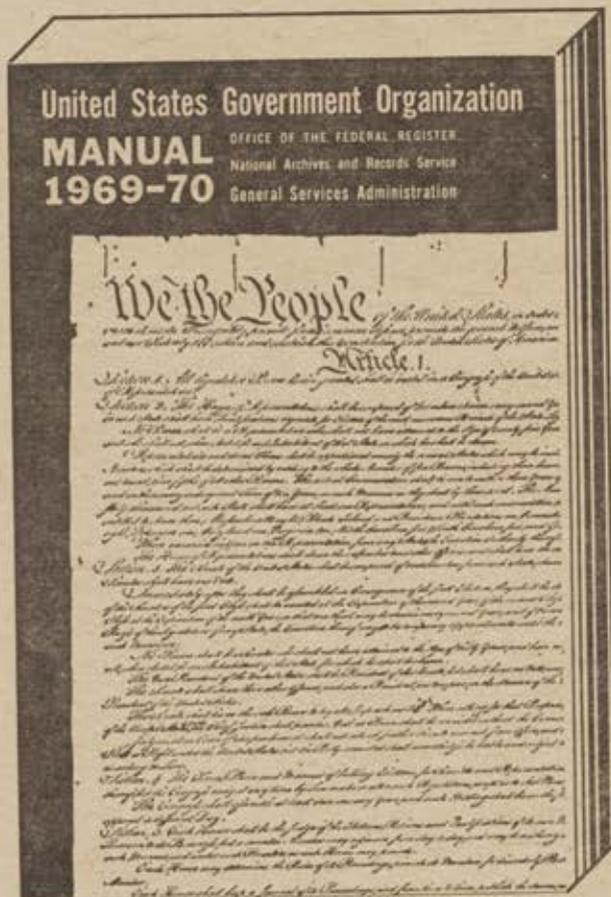








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