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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
Defense Department
Federal Home Loan Bank Board
Federal Housing Administration
Federal Maritime Commission
Federal Reserve System
Food and Drug Administration
Interstate Commerce Commission
Securities and Exchange Commission
Tariff Commission

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Announcing First 10-Year Cumulation

TABLES OF LAWS AFFECTED

in Volumes 70-79 of the

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Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of

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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of the Treasury

Section 213.3305(a) (19) is amended to show that the position of Special Assistant to the Secretary (for Enforcement), Office of the Secretary is removed from Schedule C.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 69-13699; Filed, Nov. 18, 1969; 8:45 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER D—PROVISIONS COMMON TO MORE THAN ONE PROGRAM

[Amdt. 2]

PART 794—DIVISION OF PAYMENTS AND CERTIFICATES

Miscellaneous Amendments

The regulations governing the Division of Payments and Certificates, 32 F.R. 19155, as amended, are further amended, effective with the 1970 program year, as follows:

1. Section 794.1 is amended to read as follows:

§ 794.1 Applicability.

This part is applicable to the 1968, 1969, and 1970 feed grain program, Part 775 of this chapter, as amended; the 1968, 1969, and 1970 wheat certificate program and the 1969 and 1970 wheat diversion program, Part 728 of this chapter, as amended; the 1968, 1969, and 1970 upland cotton program, Part 722 of this chapter, as amended; and all other programs to which this part is made applicable by individual program regulations. This part supersedes, to the extent of its applicability, regulations relating to the division of payments and certificates contained in individual program regulations.

2. Section 794.3 is amended by inserting in paragraph (b) immediately after the word "employees" the words "subject to the minimum wage provisions". As amended, paragraph (b) reads as follows:

§ 794.3 Additional provisions relating to tenants and sharecroppers.

(b) Notwithstanding any other provision of this section, a landlord or operator who in the past had tenants or sharecroppers on his land for purposes of producing the crop covered by the intention form and such individuals are now classified as employees subject to the minimum wage provisions under the Fair Labor Standards Act, may pay these individuals on a wage basis and this action will not be considered as reducing the number of tenants or sharecroppers.

(Sec. 15(i), 79 Stat. 1190; sec. 105(e), 70 Stat. 1188, as amended; sec. 339(g), 76 Stat. 624; sec. 379j, 76 Stat. 630; sec. 103(d), 79 Stat. 1194; 16 U.S.C. 590p(i), 7 U.S.C. 1441 note, 7 U.S.C. 1339, 1379j, 1444(d))

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on November 13, 1969.

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

[F.R. Doc. 69-13715; Filed, Nov. 18, 1969; 8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1969 Crop Soybean Supp., Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1969 Crop Soybean Loan and Purchase Program

BASIC COUNTY SUPPORT RATE; MICHIGAN

The regulations issued by Commodity Credit Corporation which contain the basic price support rates for the 1969 crop of soybeans, 34 F.R. 15448, are amended to establish a basic county support rate of \$2.18 per bushel for Iosco County, Mich.

Section 1421.2968(a) is amended by inserting, between the counties of Ionia and Isabella under the heading "Michigan", the following:

Iosco \$2.18

(Sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 203, 301, 401, 63 Stat. 1054; 7 U.S.C. 1446(d), 1447, 1421)

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on November 13, 1969.

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

[F.R. Doc. 69-13716; Filed, Nov. 18, 1969; 8:46 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. R]

PART 218—RELATIONSHIPS WITH DEALERS IN SECURITIES UNDER SECTION 32, BANKING ACT OF 1933

Exceptions

1. Effective January 1, 1970, § 218.2 is amended to read as set forth below. The footnotes to § 218.2 are unchanged, except for the addition of a new footnote 4.

§ 218.2 Exceptions.

Pursuant to the authority vested in it by section 32, the Board of Governors of the Federal Reserve System hereby grants permission¹ for any officer, director, or employee of any member bank of the Federal Reserve System, unless otherwise prohibited,² to be at the same time an officer, director, or employee of any corporation or unincorporated association, a partner or employee of any partnership, or an individual engaged in the issue, flotation, underwriting, public sale, or distribution, at wholesale or retail, or through syndicate participation, of only such securities as national banks may lawfully underwrite and deal in pursuant to paragraph Seventh of section 5136, Revised Statutes (12 U.S.C. 24).³

2a. Briefly, section 32 of the Banking Act of 1933, as amended (12 U.S.C. 78), prohibits interlocking personnel relationships between member banks of the Federal Reserve System and firms or organizations primarily engaged in underwriting, dealing in, or distributing securities (referred to herein as "securities companies"). The statute authorizes the Board to provide exemptions therefrom by general regulation upon determining that to do so would not unduly influence the investment policies of the banks or the advice they give their customers regarding investments. Section 218.2 (Regulation R) presently exempts such relationships between member banks and those securities companies that confine their business to the types

¹ [No change]

² [No change]

³ Made applicable to State member banks by paragraph 20 of section 9 of the Federal Reserve Act (12 U.S.C. 335).

of obligations listed therein. All such obligations may be underwritten or dealt in by national banks pursuant to paragraph Seventh of section 5136 of the Revised Statutes (12 U.S.C. 24), the provisions of which are made applicable to State member banks by paragraph 20, section 9, of the Federal Reserve Act (12 U.S.C. 335). However, not all obligations that member banks may underwrite or deal in under those statutes are included in § 218.2 in its present form. This amendment to § 218.2 expands the coverage of its exemption to permit interlocking personnel relationships between member banks and securities companies so long as such companies limit their section 32 activities to securities eligible under section 5136 for member banks, themselves, to deal in or underwrite. The effect of this amendment broadening § 218.2 is to bring within its exemption general obligations of any State or of any political subdivision thereof, obligations of the Government National Mortgage Association, and obligations issued by any State or political subdivision of any agency of a State or political subdivision for housing, university, or dormitory purposes, which are eligible for purchase by a national bank for its own account. The first class of obligations has long been eligible for underwriting and dealing in by member banks, and the latter two classes became eligible upon enactment of the Housing and Urban Development Act of 1968, sections 807(j) and 1705(h).

b. A notice of proposed rule making and invitation for public participation relative to the broadening of § 218.2 to cover general obligations of any State or of any political subdivision thereof was published in the *FEDERAL REGISTER* (32 F.R. 5849). Further such procedure was not followed in connection with this amendment, which operates to relieve restrictions otherwise applicable, because, in the circumstances, such procedure would serve no useful purpose. The amendment was adopted by the Board of Governors after consideration of all relevant material, including communications pursuant to the notice of proposed rule making specified above; and as previously indicated, the Board has deferred the effective date of the amendment to January 1, 1970.

By order of the Board of Governors,
November 10, 1969.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-13718; Filed, Nov. 18, 1969;
8:46 a.m.]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 23,497]

PART 545—OPERATIONS

Mobile Home Financing

NOVEMBER 7, 1969.

Resolved that, notice and public procedure having been duly afforded (34

F.R. 13115) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank, upon the basis of such consideration, determines that it is advisable to amend Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) for the purpose of implementing an amendment to section 5(c) of the Home Owners' Loan Act of 1933, as amended, contained in Public Law 90-448, 82 Stat. 476, approved August 1, 1968, to authorize Federal savings and loan associations to invest in loans made for the purpose of mobile home financing. Accordingly, said Part 545 is amended by adding, immediately after § 545.7 thereof, a new § 545.7-1, to read as follows, effective November 19, 1969:

§ 545.7-1 Mobile home financing.

(a) *Definitions.* As used in this section—

(1) The term "mobile home" means a movable dwelling constructed to be towed on its own chassis and undercarriage, having minimum dimensions of 40 feet in length and 10 feet in width and containing living facilities suitable for year-round occupancy by one family, including permanent provisions for eating, sleeping, cooking, and sanitation.

(2) The term "mobile home chattel paper" means written evidence of both a monetary obligation and a security interest of first priority in one or more mobile homes, and any equipment installed or to be installed therein.

(b) *General provisions.* A Federal association which has a charter in the form of Charter K (rev.) or Charter N may, after adoption of a mobile home financing plan by its board of directors, invest in mobile home chattel paper subject to the provisions of this section.

(c) *Percent-of-assets limitation.* Any such association may make an investment in mobile home chattel paper under this section only if the amount of such investment and all other investments in such chattel paper then outstanding does not exceed 5 percent of the association's assets at the time of such investment.

(d) *Inventory financing.* Any such association may invest in mobile home chattel paper which finances the acquisition of inventory by a mobile home dealer only if:

(1) The inventory is to be held for sale in the ordinary course of business by the mobile home dealer within the association's regular lending area; and

(2) The monetary obligation evidenced by such chattel paper is the obligation of the mobile home dealer and does not exceed the following amounts:

(i) 100 percent of the manufacturer's invoice price of each new mobile home (including any installed equipment), excluding freight;

(ii) 100 percent of the invoice price of the manufacturer of any new equipment to be installed by the dealer in a mobile home, excluding freight; and

(iii) 90 percent of the wholesale value of each used mobile home (including any installed equipment) as established in the dealer's market.

(e) *Retail purchase money financing.* Any such association may invest in mobile home chattel paper, other than as provided in paragraph (d) of this section, only if:

(1) The monetary obligation evidenced by such chattel paper is incurred to finance the purchase of a mobile home;

(2) The mobile home is to be maintained as a residence of the purchaser, or a relative of the purchaser;

(3) The mobile home is located at the time of such purchase, or is to be located within 90 days thereof, at a mobile home park or other semipermanent site within the association's regular lending area;

(4) The monetary obligation evidenced by such chattel paper does not exceed the following amount:

(i) 100 percent of the manufacturer's invoice price of any new mobile home (including any installed equipment), excluding freight, and 100 percent of the invoice price of the manufacturer of any other new equipment installed or to be installed by the dealer, excluding freight, plus (a) 10 percent of the total of such invoice prices, up to a limit of \$500, and (b) sales tax; or

(ii) 100 percent of the wholesale value of any used mobile home (including any installed equipment) as established in the dealer's market, plus sales tax; and

(5) The monetary obligation evidenced by such chattel paper is to be paid in substantially equal monthly installments within the following time limits from the date of sale of the mobile home:

(i) Up to 12 years in the case of a new mobile home; or

(ii) Up to 8 years in the case of a used mobile home.

(f) *Sound investment practices.* Investments by any such association in mobile home chattel paper shall be made in conformity with sound practices for such investments. Such chattel paper shall include provisions for protection of the association and shall provide specifically for protection with respect to insurance, taxes, other governmental levies, maintenance, and repairs, and for other protection as may be lawful or appropriate. The association may pay taxes or other governmental levies, insurance premiums, or other similar charges for the protection of its security interest, and all such payments may, when lawful, be added to the monetary obligation of the obligor. The association shall in a timely manner take all steps necessary to perfect its security interest under applicable law.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

Resolved further that, since the Board determines it desirable for Federal savings and loan associations to have as soon as possible the new investment authority permitted by this amendment, the Board hereby finds that deferral of the effective date of this amendment for 30 days after publication in the *FEDERAL REGISTER* pursuant to the provisions of 12 CFR 508.14 and 5 U.S.C. 553(d) is contrary to the public interest and provides that the amendment shall be effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 69-13708; Filed, Nov. 18, 1969;
8:46 a.m.]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN
INSURANCE CORPORATION

[No. 23,496]

PART 563—OPERATIONS

Semiannual Credit Requirements for
Federal Insurance Reserve

NOVEMBER 7, 1969.

Resolved, that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amending paragraph (b) of § 563.13 of the rules and regulations for Insurance of Accounts (12 CFR 563.13(b)), relating to the amounts which insured institutions must credit semiannually to their Federal insurance reserve accounts, determines that it is advisable to amend said paragraph for the following purposes:

1. To extend for two additional semiannual periods the present reduction (from 10 percent to 5 percent) in the percentage of net income which certain insured institutions are required to credit semiannually to their Federal insurance reserve accounts; and

2. To extend for two additional semiannual periods the suspension of the semiannual credit requirements for the Federal insurance reserve which are based on percentage of growth in specified assets.

Accordingly, paragraph (b) of said § 563.13 is hereby amended by revising subparagraphs (5) and (6) thereof to read as follows, effective November 19, 1969:

§ 563.13 Required amounts and maintenance of Federal insurance reserve.

(b) *Semiannual credits.*

(5) During the nine semiannual periods commencing on and after July 1, 1966, the 10 percent of net income semiannual credit requirements in subparagraphs (2) and (3) of this paragraph shall be 5 percent of net income.

(6) During the four semiannual periods commencing on and after December 1, 1968, the semiannual credit requirements based on percentage of growth in specified assets in subdivisions (i) (b) and (c) and (ii) (b) of subparagraph (3) of this paragraph shall be suspended.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

Resolved further that, since the above amendments extend grants of exemption from regulatory requirements, the Board hereby finds that notice and public procedure with respect to said amendments are unnecessary under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and since publication of said amendments for

the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date of said amendments would in the opinion of the Board likewise be unnecessary for the same reason, the Board hereby provides that said amendments shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 69-13709; Filed, Nov. 18, 1969;
8:46 a.m.]

[No. 23,498]

PART 563—OPERATIONS

Participation Loans

NOVEMBER 7, 1969.

Resolved, that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amending § 563.9-1 of the rules and regulations for Insurance of Accounts (12 CFR 563.9-1) for the purpose of relaxing certain of the present restrictions on participations by insured institutions with other lenders in real estate loans secured by property located outside of their normal lending territories, hereby amends said § 563.9-1 by revising paragraphs (b) (1) and (2), and (d) thereof and by adding a new subparagraph (3) to paragraph (f) thereof, to read as follows, effective November 19, 1969:

§ 563.9-1 Participation loans.

(b) *Participation loans on real estate located beyond normal lending territory.*—(1) *Purchase of participations.* Subject to the provisions of this section, any insured institution may, to the extent it has legal power to do so, purchase from another insured institution a participation interest in a loan secured by a first lien upon a home or other dwelling units located outside its normal lending territory, if:

(i) The loan is an insured loan or a guaranteed loan; or

(ii) The loan is secured by property located within the normal lending territory of an insured institution which at the close of the sale has a participation interest in the loan of at least 50 percent: *Provided, however,* That no such participation interest may be purchased pursuant to this subdivision from an insured institution which had, at the close of its immediately preceding semiannual period, scheduled items (other than assets acquired in a merger instituted for supervisory reasons) in excess of 4 percent of its specified assets unless the prior written approval of the Corporation has been obtained pursuant to paragraph (d) of this section.

(2) *Joint origination.* Subject to the provisions of this section, any insured institution may, to the extent it has legal power to do so, participate with another insured institution or institutions in the making of a loan secured by a first lien

upon a home or other dwelling units located outside its normal lending territory, if:

(i) The loan is an insured loan or a guaranteed loan; or

(ii) The loan is secured by property located within the normal lending territory of another insured institution which participates in an amount equal to at least 50 percent of the loan: *Provided, however,* That no such participation may be entered into pursuant to this subdivision with an insured institution which had, at the close of its immediately preceding semiannual period, scheduled items (other than assets acquired in a merger instituted for supervisory reasons) in excess of 4 percent of its specified assets unless the prior written approval of the Corporation has been obtained pursuant to paragraph (d) of this section.

(d) *Corporation approval of certain participations.* An insured institution having scheduled items in excess of 4 percent of its specified assets may request Corporation approval for other insured institutions to purchase from it participation interests in loans and to participate with it in the making of loans pursuant to paragraph (b) of this section. Any such request by the institution for Corporation approval shall be transmitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, with a copy thereof to the Supervisory Agent.

(f) *Definitions.* As used in this section—

(3) The term "Supervisory Agent" means the President of the Federal Home Loan Bank of the district in which the insured institution is located or any other officer or employee of such bank designated by the Board as agent of the Corporation as provided by § 501.11 of this chapter.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

Resolved further that, since the above amendment is for the purpose of relieving present restrictions, the Board hereby finds that notice and public procedure on the amendment are unnecessary under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and, since the amendment relieves restriction, publication of the amendment for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date of the amendment is unnecessary; and the Board hereby provides that the amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 69-13710; Filed, Nov. 18, 1969;
8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER P—RECORDS

PART 290—AVAILABILITY TO THE PUBLIC OF DEFENSE CONTRACT AUDIT AGENCY INFORMATION

Public Reference Facilities and Exemptions From Public Disclosure

The following amendments to Part 290 were approved on October 29, 1969.

1. In § 290.4, paragraph (a) (3) is amended to read as follows:

§ 290.4 Public reference facilities.

(a) * * *

(3) Administrative staff manuals and instructions which establish Defense Contract Audit Agency policy, or interpretations of Department of Defense policy, that are determinative of the rights of members of the public.

2. In § 290.10, paragraph (b) (1) is amended to read as follows:

§ 290.10 Exemptions from public disclosure.

(b) * * *

(1) Defense Contract Audit Manual, except certain appendices which are maintained in Public Reference Facilities as explained in § 290.4.

WILLIAM B. PETTY,
Director,
Defense Contract Audit Agency.

[F.R. Doc. 69-13724; Filed, Nov. 18, 1969;
8:47 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 53—TOMATO PRODUCTS

Tomato Puree and Tomato Paste, Identity Standards; Measurement of Tomato Soluble Solids by Refractometer

In the matter of amending the standards of identity for tomato puree (§ 53.20) and tomato paste (§ 53.30) to provide for measurement of tomato soluble solids by refractometer instead of determining salt-free tomato solids by the vacuum oven drying method:

Eight comments, all favorable, were filed in response to the notice of proposed rule making in the above-identified matter that was published in the FEDERAL REGISTER of June 25, 1969 (34 F.R. 9810), and based on a petition filed by the National Canners Association, 1133 20th Street NW., Washington, D.C. 20036. One of the comments included a

request for incorporating into the proposed amendments instructions for preparation of the clear serum on which the refractometer reading is made. A specific method for the determination of soluble solids in tomato products by refractive index, which includes a step for obtaining clear serum where this might be difficult, was recently published in the "Journal of the Association of Official Analytical Chemists." A footnote reference to this paper has been inserted in the regulation.

On the basis of the information submitted in the petition, the comments received, and other relevant information, the Commissioner of Food and Drugs concludes that it will promote honesty and fair dealing in the interest of consumers to adopt the amendments as set forth below.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That Part 53 be amended as follows:

1. Section 53.20 is amended by revising the text following paragraph (a) (3) but preceding paragraph (b) and by revising paragraph (b) (2) to read as follows:

§ 53.20 Tomato puree, tomato pulp; identity; label statement of optional ingredients.

(a) * * *

(3) * * *

Such liquid is obtained by so straining such tomatoes or residue, with or without heating, as to exclude skins, seeds, and other coarse or hard substances. It is concentrated and may be seasoned with salt. When sealed in a container it is so processed by heat, before or after sealing, as to prevent spoilage. It contains not less than 8.0 percent, but less than 24.0 percent, of natural tomato soluble solids, as determined by the following method: Determine the refractive index of the clear serum obtained from the product, corrected for temperature, converting the resultant index to "% Sucrose" in accordance with the "International Scale of Refractive Indices of Sucrose at 20° C.," pages 828-30, Reference Tables 43.008 and 43.009 of the book "Official Methods of Analysis of the Association of Official Agricultural Chemists," 10th edition, 1965. If no salt has been added, this percent sucrose from the reference table shall be considered the percent of natural tomato soluble solids. If salt has been added, determine the percent of sodium chloride by the method prescribed on page 519, section 30.009, under "Sodium Chloride—Official," of

¹ "Collaborative Study of the Determination of Soluble Solids in Tomato Products by Refractive Index Expressed as Percent Sucrose" by Frank C. Lamb, National Canners Association, 1950 Sixth Street, Berkeley, Calif. 94710, "Journal of the Association of Official Analytical Chemists," vol. 52, No. 5 (1969), pp. 1050-54. Adopted as official, first action at the 1969 AOAC meeting.

said book. Subtract the percent of sodium chloride from the percent of total soluble solids found and multiply the difference by 1.016. The product shall be considered the percent of natural tomato soluble solids.

(b) * * *

(2) The name specified for the food covered by this section is "tomato puree" or alternatively "tomato pulp"; however, if the only optional tomato ingredient used is the ingredient specified in paragraph (a) (1) of this section and the food contains not less than 20.0 percent of natural tomato soluble solids, the name "concentrated tomato juice" may be used in lieu of the names "tomato puree" or "tomato pulp."

2. Section 53.30 is amended by revising the text following paragraph (a) (7) but preceding paragraph (b) to read as follows:

§ 53.30 Tomato paste; identity; label statement of optional ingredients.

(a) * * *

(7) * * *

When sealed in a container it is so processed by heat, before or after sealing, as to prevent spoilage. It contains not less than 24.0 percent of natural tomato soluble solids as determined by the following method: Determine the refractive index of the clear serum obtained from the product, corrected for temperature, converting the resultant index to "% Sucrose" in accordance with the "International Scale of Refractive Indices of Sucrose at 20° C.," pages 828-30, Reference Tables 43.008 and 43.009 of the book "Official Methods of Analysis of the Association of Official Agricultural Chemists," 10th edition, 1965. If no salt has been added, this percent sucrose from the reference table shall be considered the percent of natural tomato soluble solids. If salt has been added, determine the percent of sodium chloride by the method prescribed on page 519, section 30.009, under "Sodium Chloride—Official," of said book. Subtract the percent of sodium chloride found from the percent of total soluble solids found and multiply the difference by 1.016. The product shall be considered the percent of natural tomato soluble solids.

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

by a memorandum or brief in support thereof. All documents shall be filed in six copies.

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

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended; 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: November 7, 1969.

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

[F.R. Doc. 69-13697; Filed, Nov. 18, 1969;
8:45 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

METHYL ALCOHOL RESIDUES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 9A2413) filed by Hopecon, Inc., 274 Madison Avenue, New York, N.Y. 10016, and other relevant material, concludes that the food additive regulations should be amended to increase the maximum level of methyl alcohol that may be present in hops extract from 250 parts per

million (0.025 percent) to 2.2 percent by weight of the extract. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.1044 is amended by revising the introductory text of paragraph (b) to read as follows:

§ 121.1044 Methyl alcohol residues.

(b) In hops extract as a residue from the extraction or hops, at a level not to exceed 2.2 percent by weight; *Provided*, That:

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

panied by a memorandum or brief in support thereof.

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

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

Dated: November 10, 1969.

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

[F.R. Doc. 69-13696; Filed, Nov. 18, 1969;
8:45 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

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

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Eligible Mortgages

Correction

In F.R. Doc. 69-13242 appearing at page 17951 in the issue of Thursday, November 6, 1969, the word "equity" appearing in the fourth line of § 221.510(c) should be changed to read "entity".

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 201]

FEDERAL SEED ACT REGULATIONS

Notice of Proposed Rule Making

Pursuant to the provisions of section 402 of the Federal Seed Act approved August 9, 1939, as amended (7 U.S.C. 1592) and the administrative procedure provisions of 5 U.S.C. section 553, notice is hereby given of intention to promulgate the following amendments to the regulations (7 CFR Part 201, as amended) under the Federal Seed Act. Public hearing with reference thereto will be held at 10 a.m. on December 15, 1969, in Room 2096, South Building, U.S. Department of Agriculture, 14th and Independence Avenue SW., Washington, D.C.

Interested person are invited to attend the hearing and to offer comments or suggestions regarding the proposals. Any comments or suggestions bearing on the proposals that are not made or presented in person at the hearing may be transmitted in duplicate by mail addressed to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, and will be considered if received on or before January 15, 1970. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The presiding officer, who shall conduct the hearing with power to do all things necessary and appropriate to the proper conduct of the hearing, shall be designated prior to the hearing by the Director, Grain Division, Consumer and Marketing Service.

The proposed amendments are as follows:

1. Sections 201.2(h), 201.46 Table 1, and 201.58(c) Table 2, would be amended by changing the name "Bermudagrass, Common" to "Bermudagrass" and changing the scientific name for "Bermudagrass, giant" from "*Cynodon sp.*" to "*Cynodon dactylon* var. *aridus* Harlan."

2. Section 201.2(h) would be amended by adding in proper alphabetical order in the list of "Agricultural Seeds" the following:

Crambe—*Crambe abyssinica* Hochet, ex R. E. Fries.
Triticale—*Triticum-secale* Whittmack.

3. Section 201.10 would be amended by adding to the list of agricultural seeds in proper alphabetical order, "Crambe" and "Triticale."

4. Section 201.12a would be amended as follows:

a. Add to the list of fine textured kinds in paragraph (a) in proper alphabetical order the name "fescue, hard" and the following wording:

Ryegrass, perennial (the following varieties only).
Lamora.
Manhattan.
NK-100.
Norlea.
Pelo.

b. In paragraph (a) change the name "Bermudagrass, common" to "Bermudagrass."

c. Change the wording of paragraph (b) to read as follows:

(b) The term "coarse kinds" means all kinds (or varieties of perennial ryegrass) not listed in paragraph (a) of this section.

5. Section 201.17 would be amended as follows:

Change the name "common bermudagrass" to "bermudagrass"; and change the scientific name of giant bermudagrass from "*(Cynodon sp.)*" to "*(Cynodon dactylon* var. *aridus*)", and immediately following add the name "annual bluegrass (*Poa annua*)".

6. Section 201.31 would be amended by adding to the list of vegetable seeds in proper alphabetical order the following:

Kale, Siberian..... 75

7. Following § 201.30a a new section would be added as follows:

§ 201.30b Lot number or other identification of vegetable seed in containers of more than 1 pound.

The lot number or other identification of vegetable seed in containers of more than 1 pound shall be shown on the label and shall be the same as that used in the records pertaining to the same lot of seed.

8. In § 201.46, Table 1 would be amended by adding in proper alphabetical order under "Agricultural Seed" in the respective columns the following:

Crambe.....	15	150	154
Triticale.....	100	500	25

9. Section 201.47(e) would be amended by changing the date of July 1, 1966, referred to therein to July 1, 1967.

10. Section 201.58 would be amended as follows:

a. Section 201.58(a)(8) would be amended by deleting the last sentence and the following wording in the next to the last sentence "except where 15°-25° C. is prescribed as an alternate temperature."

b. Under the listing of "Agricultural Seed" in Table 2 in § 201.58(c) the information in the temperature column for "Bluegrass: Kentucky", "Brome: Field",

"Ryegrass: Annual (Italian)", "Ryegrass: Perennial" and "Ryegrass: Wimmera" would be amended to show the 15-25 temperature first, and the information in said column for "Timothy" would be changed to read "15-25; 20-30".

c. Under the listing of "Vegetable Seed" in Table 2 in § 201.58(c), the information for "Cress: Water" in the respective six columns would be amended to read, "P----- 20-30 ----- 4 ----- 14 ----- Light; KNO₃".

d. Table 2 in § 201.58(c) would be amended by adding in proper alphabetical order under the listing of "Agricultural Seed" in the respective columns the following:

Crambe.....	T.....	25	3	7	
Triticale.....	B, T, S.....	20; 15	4	7	Prechill at 5° or 10° C. for 5 days, or predry.

11. Section 201.58a(a)(3) would be amended by adding at the end thereof the statement, "Varieties in commercial channels in the United States which are not subjected to the above formulas include but are not limited to the following:

Ariki.
Magnolia."

12. Section 201.59 would be amended by changing the last sentence to read as follows: "All other tolerances, including tolerances for pure-live seed and fluorescence, and tolerances for purity based on 10 to 1,000 seeds, seedlings, or plants shall be determined from the result or results found in the administration of the Act."

13. Section 201.62 would be amended as follows:

a. The section heading and the first paragraph of § 201.62 would be amended by deleting the word "growing" in each instance.

b. The heading for Table 4 in § 201.62 would be amended to read as follows:

Table 4—Tolerances for purity tests, when results are based on 10 to 1,000 seeds, seedlings, or plants used in a test.

14. Section 201.101 would be amended by adding to the list of kinds of seed in proper alphabetical order the names "Crambe" and "Triticale."

15. Section 201.107 would be amended by inserting in the list of seeds in paragraph (b) in proper alphabetical order the following:

Bermudagrass, giant—*Cynodon dactylon* var. *aridus*.

16. Section 201.208 would be amended by adding to the list of kinds of seeds in paragraph (a) in proper alphabetical order the following:

Crambe.
Triticale.

17. Section 201.221a, Table 5, would be amended to:

a. Insert in the list of Vegetable Seeds in proper alphabetical order the following:

Cress, upland.....	5	10
--------------------	---	----

b. In the list of agricultural seeds, change the name "Bermudagrass, Common" to "Bermudagrass."

c. Add in proper alphabetical order in the list of "Agricultural Seeds" in the respective columns the following:

Crambe.....	25	100
Triticale.....	100	300

18. Section 201.222 would be amended by adding to the list of kinds of seed in paragraph (a) in the proper alphabetical order the following:

Crambe.
Triticale.

Done at Washington, D.C. this 14th day of November 1969.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-13717; Filed, Nov. 18, 1969;
8:46 a.m.]

[7 CFR Part 929]

CRANBERRIES

Expenses and Rate of Assessment for 1969-70 Fiscal Period and Carry- over of Unexpended Funds

Consideration is being given to the following proposals submitted by the Cranberry Marketing Committee, established under the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That the expenses that are reasonable and likely to be incurred by said committee, during the fiscal period September 1, 1969, through August 31, 1970, will amount to \$42,000.

(2) That the rate of assessment for such period, payable by each handler in accordance with § 929.41, be fixed at \$0.02 per barrel or equivalent quantity of cranberries.

(3) That unexpended assessment funds, in excess of expenses incurred during the fiscal period ended August 31, 1969, be carried over as a reserve in accordance with the applicable provisions of § 929.42.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the

Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after publication of the notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: November 13, 1969.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Consumer and Mar-
keting Service.

[F.R. Doc. 69-13707; Filed, Nov. 18, 1969;
8:45 a.m.]

[7 CFR Part 981]

[Docket No. AO 214-A3]

ALMONDS GROWN IN CALIFORNIA

Notice of Hearing With Respect to Proposed Amendment of Marketing Agreement and 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 in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Assembly Room, California Department of Agriculture, 1220 N Street, Sacramento, Calif. 95814, beginning at 9 a.m., local time, December 15, 1969, with respect to proposed amendment to the marketing agreement and order, as amended (7 CFR Part 981), regulating the handling of almonds grown in California. The proposed amendment has not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic, marketing, and other conditions which relate to the proposed amendment, hereinafter set forth, and to any appropriate modifications thereof.

The California Almond Growers Exchange, a cooperative marketing association, has proposed the following amendment and requested a hearing thereon:

1. Substitute the word "reserve" for "surplus" wherever it occurs in the order and change the heading immediately preceding § 981.45 from "Surplus Control" to "Volume Regulation".

2. Revise § 981.16 by inserting after "means" the words "to use almonds commercially of own production or".

3. Add two new sections as follows:

§ 981.21a Salable almonds.

"Salable almonds" means those almonds which are free to be handled pursuant to any salable percentage established by the Secretary pursuant to § 981.47 and, in the absence of a reserve percentage being established for a crop year, all almonds received by handlers

for their own accounts during that crop year.

§ 981.21b Reserve almonds.

"Reserve almonds" means those almonds which must be withheld from handling in satisfaction of a reserve obligation arising from application of a reserve percentage established by the Secretary pursuant to § 981.47.

4. Revise § 981.49(c) to read as follows:

(c) The desirable handler carryover at the end of the crop year with due recognition to any inventory of reserve almonds.

5. Add a new subparagraph (f) in § 981.49 as follows:

(f) The recommendations as to the release of reserve tonnage pursuant to § 981.66.

6. Revise § 981.50 to read as follows:

§ 981.50 Reserve obligation.

Whenever salable and reserve percentages are in effect for a crop year, each handler shall withhold from handling a quantity of almonds having a kernelweight equal to the reserve percentage of the kernelweight of all almonds such handler receives for his own account during the crop year: *Provided*, That any quantity of almonds disposed of in outlets such as animal feed or crushing into oil, in a manner permitting accountability to the Board, and which is not reserve almonds, shall not be included in such receipts. The quantity of almonds hereby required to be withheld from handling shall constitute, and may be referred to as, the "reserve" or "reserve obligation" of a handler. The almonds handled as salable almonds by any handler, in accordance with the provisions of this part, shall be deemed to be that handler's quota fixed by the Secretary within the meaning of section 8a(5) of the act.

7. Revise § 981.52 to read as follows:

§ 981.52 Holding requirement and delivery.

Each handler shall, at all times, hold in his possession or under his control, in proper storage for the account of the Board, the quantity of almonds necessary to meet his reserve obligation less: (a) Any quantity for which he has a temporary deferment pursuant to § 981.53; (b) any quantity which was disposed of by him pursuant to § 981.67; and (c) any quantity for which he is otherwise relieved by the Board of responsibility to so hold almonds. Upon demand of the Control Board reserve almonds shall be delivered to the Board f.o.b. handler's warehouse or point of storage, except that the Control Board shall not make such demand upon a handler with respect to reserve almonds for which the time for withholding has been deferred pursuant to § 981.53 or he has agreed to undertake disposition pursuant to § 981.67.

8. Delete § 981.58.

9. Revise the final sentence of § 981.61 to read as follows: "Weights used in such computations for various classifications

of almonds shall be: (a) For unshelled almonds, the kernel weight computed by application of shelling ratios authorized pursuant to § 981.62; (b) for shelled almonds, the net weight; and (c) for shelled almonds used in production of almond products, the weight of such almonds."

10. Revise § 981.66(c) by adding "almond paste" after the words "almond butter".

11. Revise § 981.66(d) to read as follows:

(d) *Time restriction on disposition.* The Control Board shall not dispose of, or authorize the disposition of, more than 80 percent or such other percentage as the Secretary, upon recommendation of the Control Board or other information, may establish, of the reserve almonds in export or noncompetitive domestic outlets prior to May 15 of any crop year: *Provided*, That handlers may request, and, if appropriate, the Control Board may authorize disposition of the difference between the handlers actual exports and his total reserve obligation in noncompetitive domestic outlets. Prior to May 15, the Control Board shall review the disposition of reserve almonds and if it finds that the volume released to export and noncompetitive domestic outlets has been committed and additional volumes could be disposed of in either, without materially affecting disposition of the oncoming crop, it may, subject to the approval of the Secretary, increase the percentage to be released in export or noncompetitive domestic outlets. If pursuant to § 981.48, the reserve percentage is reduced during any crop year, each handler may dispose of the quantity released into export or other reserve outlets by the initial percentages of the crop year but his credit for reserve disposition shall not exceed his new reserve obligations.

12. Revise the first sentence of § 981.67 by inserting after the words "such reasonable terms and conditions" the words: "including inspection and certification requirements".

13. Delete paragraph (a) of § 981.68, redesignate paragraphs (b) and (c) of § 981.68 as (f) and (g) respectively of § 981.66 and revise them to read as follows:

(f) *Expenses.* Direct expenses incurred by the Board in the maintenance and disposition of reserve almonds shall be charged against the proceeds of sales of such almonds.

(g) *Distribution of proceeds.* Net proceeds from the disposition of reserve almonds by the Board shall be distributed to each handler in proportion to his relative contribution to such disposition in terms of kernel weight.

14. Add a new section as follows:

§ 981.41 Research and development.

The Control Board, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of almonds. The expense of such projects shall be paid from funds collected pursuant to § 981.81.

The Almond Growers Council, a grower organization, has proposed the following amendment and requested a hearing thereon:

15. Add a new section as follows:

§ 981.42 Grower-handlers.

Growers as defined by this order, who also are handlers pursuant to §§ 981.13 and 981.16, for all purposes of this part, shall have all of the rights of a grower and in addition all of the rights and obligations of a handler.

16. Revise § 981.49 by deleting the colon after "at least six members", and adding: ", including the affirmative vote of handler members who processed together, not less than 80 percent of the preceding year's total crop."

17. Revise § 981.49 by redesignating the present subparagraphs (c), (d), and (e), as (d), (e), and (f) respectively and adding after (b):

(c) The inventory reserve as of July 1.

18. Consider the possibility of double obligation on the same almonds in §§ 981.50 and 981.61 in addition to that in present § 981.55.

19. In the proviso of the first sentence of § 981.50, delete the words "such as animal feed or crushing into oil" and substitute therefor: "provided in § 981.66(c)"; and in the sentence preceding the final sentence of § 981.50, after the words "to be withheld" insert: "from the trade demand outlets".

20. In the first sentence of § 981.66(c), after "charitable purposes", insert: "or to normal trade demand markets when the reserve almonds, whether such be unshelled, shelled or almond products as defined in §§ 981.5, 981.6, and 981.15 respectively, are prepacked by handlers in sealed containers of not more than 16 ounces net weight and only upon execution of an agreement to prevent sales which attempt to circumvent this § 981.66(c), or".

21. In § 981.66(d), after the words "more than 50 percent" insert: ", or such other percentage as the Secretary may establish upon recommendation of a majority of the Control Board members including the affirmative vote of handler members who processed together, not less than 80 percent of the preceding year's total crop."

22. In the first sentence and the sentence preceding the final sentence of § 981.67 delete the word "contributed" and substitute therefor: "withheld from the trade demand outlets".

23. Delete paragraph (b) of § 981.81, redesignate paragraph (c) as (d), and add two new paragraphs after (a):

(b) *Operating reserve.* The Control Board, with the approval of the Secretary, may establish and maintain during one or more crop years an operating monetary reserve in an amount not to exceed approximately one crop year's operational expenses. Funds in such reserve shall be available for use by the Control Board for expenses authorized pursuant to § 981.80.

(c) *Refunds.* At the end of a crop year, funds in excess of the crop year's expenses and reserve requirements shall be refunded to handlers from whom col-

lected and each handler's share of such excess funds shall be the amount of assessments he has paid in excess of his pro rata share of expenses of the Control Board. However, excess funds may be used by the Control Board for a period of 5 months subsequent to the crop year; but within 5 months from the beginning of the subsequent crop year the Control Board shall refund to each handler upon request, or credit to his account with the Control Board, his share of such excess.

24. Make such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform to the amendments which may result from this hearing.

Copies of this notice may be obtained from the Sacramento Marketing Field Office, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Agriculture, 2800 Cottage Way, Room E-2713, Sacramento, Calif. 95825 or from the Almond Control Board, Post Office Box 8508, Sacramento, Calif. 95822.

Dated: November 13, 1969.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-13706; Filed, Nov. 18, 1969; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1048]

[No. MC-C-258; Sub-No. 1]

KANSAS CITY, MO.-KANSAS CITY,
KANS., COMMERCIAL ZONE

Redefinition of Limits

NOVEMBER 14, 1969.

Redefinition of the limits of the Kansas City, Mo.-Kansas City, Kans., commercial zone heretofore defined in MC-C-258 Kansas City, Mo.-Kansas City, Kans., commercial zone, 110 M.C.C. 136 at pages 137-138. Petitioners: Bonner Springs Chamber of Commerce and Southeastern Public Service Co., doing business as Mid-Continent Underground Storage. Petitioners' representative: Tom Kretsinger, Suite 450, Professional Building, 1103 Grand Avenue, Kansas City, Mo. 64106. By petition filed July 7, 1969, the above-named petitioners request the Commission to reopen the above proceeding for the purpose of redefining the limits of the Kansas City, Mo.-Kansas City, Kans., commercial zone which were most recently defined on June 11, 1969, in Kansas City, Mo.-Kansas City, Kans., commercial zone, 110 M.C.C. 136 at pages 137-138 (49 CFR 1048.3) so as to include therein an area west of the present western limits of the zone.

As presently defined, the Kansas City, Mo.-Kansas City, Kans., commercial zone is bounded, in part, by a line beginning at the junction of Plumm Road and Kansas Highway 10, extending west along Kansas Highway 10 to its junction with

Kansas Highway 7, thence north along Kansas Highway 7 to Bonner Springs, Kans., thence along the southern and eastern boundaries of Bonner Springs to their intersection with Kansas Highway 32, thence east along Kansas Highway 32 to the corporate boundary of Kansas City, Kans. Petitioners request the Commission to include within the zone an area bounded by a line as follows: Beginning at the junction of Kansas Highway 10 and Kansas Highway 7, said point being within the present commercial zone, extending along an imaginary line due west across the Kansas River to the Wyandotte County-Leavenworth County line (142d Street) at Loring, Kans., thence westerly along County Route 32, a distance of three-fourths mile to the entrance to the facilities of Mid-Continent Underground Storage, Loring,

thence from Loring in a northerly direction along Loring Lane and Linwood Avenue to the southern boundary of Bonner Springs, thence along the southern, western, and northern boundaries of Bonner Springs, to their intersection with Kansas Highway 7, thence southeast along Kansas Highway 7 to its junction with Kansas Highway 32, thence westerly along Kansas Highway 32 to its junction with the present commercial zone boundary, thence in a southerly direction along the present commercial zone boundary to the point of beginning.

No oral hearing is contemplated at this time, but anyone wishing to make representations in favor of, or against, the above-proposed revision of the limits of the Kansas City, Mo.-Kansas City, Kans., commercial zone, may do so by the submission of written data, views, or argu-

ments. An original and seven copies of such data, views, or arguments shall be filed with the Commission on or before December 22, 1969. Each such statement should include a statement of position with respect to the proposed revision, and a copy thereof should be served upon petitioners' representative.

Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-13735; Filed, Nov. 18, 1969;
8:48 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 1]

NOVEMBER 1969 MONTHLY SALES LIST

Sales of Certain Commodities

Item 3 of the Notice to Buyer section of the CCC Monthly Sales List for November (34 F.R. 17974) is amended by deleting soybeans and soybean meal from the list of commodities eligible under the CCC export credit sales program.

Signed at Washington, D.C., on November 13, 1969.

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

[F.R. Doc. 69-13704; Filed, Nov. 18, 1969;
8:45 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

UNIVERSITY OF ALABAMA

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. 69-00572-33-46040. Applicant: University of Alabama in Birmingham, Biological Ultrastructure Laboratory, Department of Clinical Dentistry, 1919 Seventh Avenue South, Birmingham, Ala. 35233. Article: Electron Microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for investigating bone growth and development in experimental animals at the ultrastructural level with two major problems in mind: (1) The morphogenesis and interrelationship of bone cells, and (2) metabolic and biosynthetic activity associated with the development and function of bone cells. In addition to studies on bone growth and development, the article will be used in studies on the ultrastructural

morphology and histochemistry of salivary glands in order to further correlate the structure and function of these tissues. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the applicant placed a bona fide order for the article. (See comments of applicant regarding purchase of foreign article.) Reasons: The foreign article provides a guaranteed resolving capability of 5 angstroms and offers five accelerating voltages—20, 40, 60, 80, and 100 kilovolts. The most closely comparable domestic instrument available as of March and June 1968, was the Model EMU-4 electron microscope which was then manufactured by the Radio Corp. of America (RCA) and which is currently being produced by Forgio Corp. (Forgio). The RCA Model EMU-4 had a guaranteed resolving capability of 8 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) In regard to accelerating voltages, the Model EMU-4 was limited to 50 and 100 kilovolts. The Department of Health, Education, and Welfare (HEW) advises us that the additional resolving capability and the additional accelerating voltages of the foreign article are pertinent characteristics. We, therefore, find that the RCA Model EMU-4 was not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used. (Memorandum dated August 6, 1969.)

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

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

[F.R. Doc. 69-13692; Filed, Nov. 18, 1969;
8:45 a.m.]

UNIVERSITY OF ILLINOIS

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. 69-00575-20-07795. APPLICANT: University of Illinois Purchasing Division, 223 Administration Building, Urbana, Ill. 61801. Article: Two (2) terrestrial wide angle cameras with accessories, Model BSG1. Manufacturer: Officine Galileo, Italy. Intended use of article: The article will be used for both instruction and research in photogrammetry on the undergraduate and graduate levels. In instruction, the article will be used for photogrammetric data acquisition by undergraduate students associated with courses in Terrestrial and Industrial Photogrammetry and Special Problems in Civil Engineering. In research, the article will be used to investigate the topic "Universal Stereometric Systems of High Precision", which is expected to lead to the development of a new generation of stereometric cameras of more flexibility and higher accuracy than the contemporary stereometric cameras. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article has the capability of stereoscopically photographing objects at various focal distances, as well as the capability of providing changes in the principal distance in discrete steps down to 2 feet. The National Bureau of Standards (NBS) advises us that, for the purposes for which the foreign article is intended to be used, these are pertinent characteristics. (Memorandum dated July 14, 1969). NBS further advises that it knows of no terrestrial wide-angle stereometric camera with similar characteristics, which is being manufactured in the United States.

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

[F.R. Doc. 69-13693; Filed, Nov. 18, 1969;
8:45 a.m.]

ACADEMY OF NATURAL SCIENCES OF PHILADELPHIA

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. 69-00576-33-26200. Applicant: The Academy of Natural Sciences of Philadelphia, 1900 Race Street, Philadelphia, Pa. 19103. Article: Electroplan unit. Manufacturer: Paton Industries Pty. Ltd., Australia. Intended use of article: The article will be used for measuring surface area of leaves for biological research, including studies of water pollution which involves studies of weed and plant progression and the population characteristics of flowing water systems. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article automatically computes the surface area of opaque plane objects which are carried past a scanning device on a plastic belt. Areas are computed in square millimeters with a maximum error of 0.5 percent and a standard error of 0.2 percent. We are advised by the National Bureau of Standards (NBS) in a memorandum dated September 15, 1969, that the ability to automatically provide a precise measurement of surface area is pertinent to the applicant's intended purposes. NBS further advises that it knows of no instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which this article is intended to be used, which is being manufactured in the United States.

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

[F.R. Doc. 69-13694; Filed, Nov. 18, 1969;
8:45 a.m.]

UNIVERSITY OF PITTSBURGH

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

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

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

Department of Commerce, Washington, D.C.

Docket No. 69-00571-33-46040. Applicant: University of Pittsburgh, Fifth and Bigelow Avenues, Pittsburgh, Pa. 15213. Article: Electron microscope, Model EM 300 and accessory. Manufacturer: Philips Electronic Instrument, The Netherlands. Intended use of article: The article will be used for biological research and graduate student teaching concerning the following projects:

a. The characterization of the cell death process during insect and anuran metamorphosis.

b. Intracellular localization of lysosomal enzymes by electron microscope cytochemistry.

c. The ultrastructural characterization of pigment formation in the testes of genetic mutants of *Ephestia*.

d. Several projects will be performed as both teaching aids and dissertation research by graduate students.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used was being manufactured in the United States at the time the applicant placed a bona fide order for the article. Reasons: (1) Applicant placed the order for the foreign article on June 13, 1968. The most closely comparable domestic electron microscope was the Model EMU-4 which was formerly manufactured by the Radio Corp. of America (RCA) and which is currently being produced by Forflo Corp. (Forflo). The foreign article has a guaranteed resolving capability of 5 angstroms, whereas the Model EMU-4 has a resolving capability of 8 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) For the purposes for which the foreign article is intended to be used, the additional resolving capability of the foreign article is a pertinent characteristic of the article; (2) the foreign article also provides 20-, 40-, 60-, 80-, and 100-kilovolt accelerating voltages, whereas the Model EMU-4 has only 50- and 100-kilovolt accelerating voltages. The lower accelerating voltages afford optimum contrast for unstained specimens and the voltages intermediate between 50 and 100 kilovolts afford optimum contrast for negatively stained specimens. For the purposes for which the foreign article is intended to be used, the additional accelerating voltages of the foreign article are also pertinent characteristics of the article. For the foregoing reasons, we find that the Model EMU-4 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

being manufactured in the United States.

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

[F.R. Doc. 69-13695; Filed, Nov. 18, 1969;
8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 69-123]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR, Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from October 1, 1969 to October 10, 1969 (List No. 27-69). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.4 (a) (2) and (g)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction and materials are set forth in 46 CFR Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner canceled or suspended by proper authority.

LIFEBOATS FOR MERCHANT VESSELS

Approval No. 160.035/373/1, 22.0' x 7.5' x 3.17' steel, hand-propelled lifeboat, 30-person capacity, identified by general arrangement dwg. No. 2230H dated September 16, 1969, 46 CFR 160.035-13(c) Marking. Weights: Condition "A"=3325.0 pounds; Condition "B"=8980.0 pounds, manufactured by C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J. 07735, effective October 1, 1969. (It reinstates and supersedes Approval

No. 160.035/373/0, terminated May 27, 1969, to show change in address and construction.)

KITS, FIRST-AID, FOR MERCHANT VESSELS

Approval No. 160.041/4/0, first-aid kit, Model No. H-24, dwg. No. H-24-K, revised July 11, 1952, manufactured by A. E. Halperin Co., Inc., 716 Columbus Avenue, Boston, Mass. 02120, effective October 10, 1969. (It supersedes Approval No. 160.041/4/0, dated Aug. 14, 1967, to show change of address of manufacturer.)

Approval No. 160.041/7/0, first-aid kit, Model No. H-24-A, Assembly dwg. dated March 20, 1959, manufactured by A. E. Halperin Co., Inc., 716 Columbus Avenue, Boston, Mass. 02120, effective October 10, 1969. (It supersedes Approval No. 160.041/7/0, dated Mar. 21, 1969, to show change of address of manufacturer.)

JACKKNIFE (WITH CAN OPENER) FOR MERCHANT VESSELS

Approval No. 160.043/2/0, No. 850 jackknife (with can opener), dwgs. PR-110-15 and PR-110-24, dated June 22, 1954, manufactured by Imperial Knife Co., Inc., Imperial Place, Providence, R.I. 02903, effective October 10, 1969. (It supersedes Approval No. 160.043/2/0 dated Sept. 4, 1969, to show correction in heading identification.)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/254/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048-4(c)(1)(i), manufactured by Style-Crafters, Inc., Post Office Box 8277, Station A, Greenville, S.C. 29604, for Martin Industries, Post Office Box 423, Clayton, Ala. 36016, effective October 1, 1969.

BUOYS, LIFE, RING, UNICELLULAR PLASTIC

Approval No. 160.050/62/0, 30-inch ring life buoy, fibrous glass wrapped unicellular plastic foam core, specification dated August 14, 1969, and drawing No. 8431/8/69, dated August 14, 1969, approved as alternate construction to that provided by U.S.C.G. Specification Subpart 160.050, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective October 7, 1969.

WORK VESTS, UNICELLULAR PLASTIC FOAM

Approval No. 160.053/5/1, Model 21CG, unicellular plastic foam cloth covered work vest, dwg. No. 21CG, figures 1, 2, 3, and 4, dated October 27, 1964, and material specification and source list dated October 27, 1964, manufactured by Badgley Manufacturing Co., 1620 Northeast Argyle, Box 9687, Portland, Oreg. 97211, effective October 1, 1969. (It is an extension of Approval No. 160.053/5/1, dated Nov. 24, 1964.)

KITS, FIRST-AID, FOR INFLATABLE LIFERAFTS

Approval No. 160.054/2/0, Model No. H-12 first-aid kit for inflatable liferafts, dwg. No. H-12 dated January 7, 1960, manufactured by A. E. Halperin Co., Inc., 716 Columbus Avenue, Boston, Mass. 02120, effective October 10, 1969. (It supersedes Approval No. 160.054/2/0, dated May 17, 1965 to show change of address of manufacturer.)

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/108/0, Bendix Model B-175-49 backfire flame arrester, approved without testing because of similarity with Coast Guard approved Bendix Flame Arrester B175-42, manufactured by Bendix Corp., Fuel Devices Division, 696 Hart Avenue, Detroit, Mich. 48214, effective October 10, 1969.

Dated: November 13, 1969.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 69-13723; Filed, Nov. 18, 1969; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20472]

MOHAWK AIRLINES, INC.

Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on December 17, 1969, at 10 a.m., e.s.t., in Room 805, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., November 12, 1969.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 69-13722; Filed, Nov. 18, 1969; 8:47 a.m.]

[Docket No. 18401 etc.]

SERVICE TO OMAHA AND DES MOINES CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled case is assigned to be heard beginning on December 2, 1969, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., November 13, 1969.

[SEAL] RALPH L. WISER,
Associate Chief Examiner.

[F.R. Doc. 69-13721; Filed, Nov. 18, 1969; 8:47 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF THE TREASURY

Notice of Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Treasury to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Secretary (Congressional Relations) in the Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 69-13700; Filed, Nov. 18, 1969; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 960]

COPEX AMERICA, INC.

Order of Revocation

By letter dated October 17, 1969, Copex America, Inc., 325 Spring Street, New York, N.Y. 10013, advised that it was ceasing operations as an independent ocean freight forwarder and wished to voluntarily relinquish its License No. 960.

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

It is ordered, That the Independent Ocean Freight Forwarder License No. 960 of Copex America, Inc., be and is hereby revoked effective November 13, 1969.

It is further ordered, That this revocation is without prejudice to Copex America, Inc.'s reapplication for a license at a later date.

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

LEROY F. FULLER,
Director,

Bureau of Domestic Regulation.

[F.R. Doc. 69-13719; Filed, Nov. 18, 1969; 8:46 a.m.]

UNITED STATES GULF/JAPAN COTTON POOL

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed by:

Mr. R. J. Flynn, Chairman, United States Gulf/Japan Cotton Pool, 11 Broadway, New York, N.Y. 10004.

Agreement No. 8682-5 is an arrangement between American and Japanese flag carriers of the Far East Conference which pools and apportions the cotton carried by those lines in the trade from U.S. Gulf ports to ports in Japan.

The subject modification (1) changes the annual "pool" year or accounting period from the present July 1 through June 30 to August 1 through July 31; (2) makes provision for the disposition of fractional sailings when calculating the total number of sailings under the agreement; and (3) adds provision for the filing of booking and sailing information with the Pool Secretariat in the event an emergency situation should arise.

Dated: November 13, 1969.

By order of the Federal Maritime Commission,

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 69-13720; Filed, Nov. 18, 1969;
8:46 a.m.]

FEDERAL HOME LOAN BANK BOARD

[H.C. 48]

ELECTRONICS CAPITAL CORP.

Notice of Receipt of Application for Permission To Acquire Control of Superior Savings and Loan Association

NOVEMBER 13, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Electronics Capital Corp., a savings and loan holding company, New York, N.Y., for approval of acquisition of control of the Superior Savings and Loan Association, Cleveland, Ohio, an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the regulations for Savings and Loan Holding Companies, said acquisition to be effected by the merger of Superior Savings and Loan Association into St. Clair Savings Association, Cleve-

land, Ohio, a subsidiary of Electronics Capital Corp. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,

Secretary,

Federal Home Loan Bank Board.

[F.R. Doc. 69-13711; Filed, Nov. 18, 1969;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4809]

SOUTHWESTERN ELECTRIC POWER CO. AND CENTRAL AND SOUTH WEST CORP.

Notice of Proposed Amendments of Certificate of Incorporation, Solicitation of Proxies, Transfer From Earned Surplus to Common Stock Capital Account, and Issue and Sale of Preferred Stock

NOVEMBER 13, 1969.

Notice is hereby given that Southwestern Electric Power Co. ("Southwestern"), a registered holding company and an electric utility subsidiary company of Central and South West Corp. ("Central"), 800 Delaware Avenue, Wilmington, Del. 19899, also a registered holding company, have filed a declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, 9, 10, and 12(f) of the Act and Rules 50, 62, and 65 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Southwestern proposes to change, by amendment of its Certificate of Incorporation, the 5,500,000 authorized shares of its common stock of the par value of \$12 each, both issued and unissued, into 5,500,000 shares of common stock of the par value of \$14 each and to transfer from earned surplus to the common stock capital account the sum of \$10,533,600—the equivalent of \$2 for each of the 5,266,800 shares of common stock (\$12 par value) now outstanding.

At September 30, 1969, the common stock capital and the earned surplus of Southwestern amounted to \$63,201,600 and \$23,517,925, respectively. Giving effect to the proposed transfer, common stock capital would be increased to \$73,735,200 and earned surplus would be reduced to \$12,984,325. The transactions will effect a permanent capitalization of a portion of the company's earned surplus. Each of the outstanding common shares having a par value of \$12 will, after the proposed transaction, consti-

tute a common share having a par value of \$14.

Southwestern also proposes to amend its Certificate of Incorporation to increase the total number of shares of preferred stock of the par value of \$100 each which the company has authority to issue from 200,000 shares to 290,000 shares. The proposed increase is necessary in order to permit Southwestern to issue and sell additional shares of its preferred stock.

Southwestern further proposes to amend its Certificate of Incorporation generally to comply with the provisions of the Commission's Statement of Policy Regarding Preferred Stock. The changes relate to the time of computing "common stock equity" in connection with the payment of common stock dividends, the period for electing a majority of the board of directors whenever such right shall have accrued to the preferred stockholders, and the provisions relating to the filling of any vacancies on the Board.

The affirmative vote of the holders of at least a majority of the outstanding shares of common stock is required to adopt the proposed amendments, and, in addition, the affirmative vote of the holders of a majority in interest of the outstanding preferred stock, voting separately as a class, is required for the adoption of the amendment increasing the total authorized preferred stock from 200,000 shares to 290,000 shares. A special meeting of Southwestern's stockholders is to be held on January 5, 1970, to consider and vote upon the adoption of the proposed amendments. Southwestern proposes to solicit proxies for said meeting. Central, owner of all of the common stock of Southwestern, has indicated that it will vote said shares in favor of the adoption of the proposed amendments to the Certificate of Incorporation.

In addition, Southwestern proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 125,000 shares of its ----- percent preferred stock, cumulative, par value \$100 per share. The dividend rate (which will be a multiple of 0.04 percent) and the price to be paid to Southwestern (which will be not less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding. The net proceeds received from the issue and sale of the preferred stock will be used by Southwestern to pay, at maturity, \$12,306,000 in principal amount of its first mortgage 3¼ percent bonds, Series A, which will become due on February 1, 1970.

Fees and expenses in connection with the proposed transactions to be paid by Southwestern are estimated at \$38,000, including legal fees of \$11,900, accountants' fees of \$3,000, and service company fees, at cost, of \$2,500. Fees and expenses of counsel for the purchasers are estimated at \$9,300 and are to be paid by the successful bidders. It is stated that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than December 1, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as amended or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulation promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-13712; Filed, Nov. 18, 1969;
8:46 a.m.]

[File No. 70-4569]

CENTRAL AND SOUTH WEST CORP. ET AL.

Notice of Filing of Posteffective Amendments Regarding Issue and Sale of Commercial Paper, Issue and Sale of Notes to Holding Com- pany and Acquisition Thereof by Holding Company

NOVEMBER 13, 1969.

In the matter of Central and South West Corp., 902 Market Street, Wilmington, Del. 19899; Central Power and Light Co., 120 North Chaparral Street, Corpus Christi, Tex. 78403; Public Service Company of Oklahoma, 600 South Main Street, Tulsa, Okla. 74102; Southwestern Electric Power Co., 428 Travis Street, Shreveport, La. 71102; West Texas Utilities Co., 1062 North Third Street, Abilene, Tex. 79604.

Notice is hereby given that Central and South West Corp. ("Central"), a registered holding company, and four of its public-utility subsidiary companies, Central Power and Light Co. ("CP&L"),

Public Service Company of Oklahoma ("Public Service"), Southwestern Electric Power Co. ("Southwestern"), and West Texas Utilities Co. ("West Texas") (collectively referred to as "subsidiary companies") have filed with this Commission, pursuant to sections 6(a), 6(b), 7, 9(a), 10, 12(b), and 12(f) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 43, 45, and 50(a) (5) (B) promulgated thereunder, posteffective amendments to their joint application-declaration in this matter. All interested persons are referred to the joint application-declaration as now amended, which is summarized below, for a complete statement of the proposed transactions.

By order dated January 26, 1968 (Holding Company Act Release No. 15954), and supplemental orders dated September 10, 1968, and March 24, 1969 (Holding Company Act Releases No. 16155 and 16321), this Commission authorized (a) the issue and sale by Central of commercial paper promissory notes in an aggregate principal amount not to exceed \$25 million at any one time outstanding and (b) the issue and sale by the subsidiary companies and the acquisition by Central of promissory notes in an aggregate principal amount not to exceed \$35 million at any one time outstanding.

In the posteffective amendments now filed authorization is requested (a) to extend to December 31, 1970, the time within which the commercial paper notes may be issued and sold by Central, and Central may loan to its subsidiary companies and (b) to permit sales of commercial paper by Central to A. G. Becker & Co., Inc., in addition to Lehman Commercial Paper, Inc. ("Lehman") upon the same terms and conditions and in the same manner Central is permitted to issue and sell commercial paper to Lehman.

The posteffective amendments also propose that the proceeds from the sale of the commercial paper notes will be added to Central's treasury funds and loaned to its subsidiary companies in amounts not to exceed the following maximum amounts at any one time: Central, \$25 million; Public Service, \$25 million; Southwestern, \$22 million; West Texas, \$10 million. All such loans would be made upon the same terms and conditions as heretofore authorized and approved. The notes issued by the subsidiary companies shall mature as agreed upon by the parties thereto but prior to the final maturity of the commercial paper notes issued by Central and shall be prepayable in whole or in part without premium or penalty. The proposed borrowings from Central by its subsidiary companies will be used to finance temporarily part of the cost of their construction programs for the remainder of 1969 and 1970. The total estimated construction expenditures of the subsidiary companies for the year 1970 are as follows: Central, \$45 million; Public Service,

\$30 million; Southwestern, \$35 million; and West Texas, \$16 million.

Notice is further given that any interested person may, not later than December 1, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said posteffective amendments which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the joint applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the joint posteffective amendments may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-13713; Filed, Nov. 18, 1969;
8:46 a.m.]

PROFESSIONAL HEALTH SERVICES

Order Suspending Trading

NOVEMBER 13, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Professional Health Services, a Delaware corporation, and all other securities of Professional Health Services 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 13, 1969, 12 m., (e.s.t.) through November 22, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-13714; Filed, Nov. 18, 1969;
8:46 a.m.]

TARIFF COMMISSION

[337-23]

COFFEE CONCENTRATES

Notice of Termination of Investigation

On November 13, 1969, the Commission denied the motion of Struthers Scientific and International Corp., of Warren, Pa., complainant in investigation No. 337-23, for a continuance of the hearing scheduled to begin December 2, 1969, in connection with the investigation, and terminated the investigation without findings and without prejudice to the complainant.

Investigation No. 337-23 was instituted May 14, 1969 (34 F.R. 8320), under section 337, Tariff Act of 1930 (19 U.S.C. 1337), upon complaint alleging unfair methods of competition and unfair acts in the importation and sale of certain coffee concentrates made in accordance with the claims of certain patents owned by complainant.

The Commission, in taking its action, noted that it had previously granted two continuances upon motion of complainant; that complainant again was not prepared to proceed; and that further uncertainty was introduced by complainant's desire to enlarge the scope of the investigation by introducing additional issues some of which were not yet defined.

Issued: November 14, 1969.

By order of the Commission.

[SEAL] WILLARD W. KANE,
Acting Secretary.

[P.R. Doc. 69-13725; Filed, Nov. 18, 1969;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 1002; Car Distribution Direction 69]

SOUTHERN RAILWAY CO. AND CHICAGO AND NORTH WESTERN RAILWAY CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) Southern Railway Co. shall deliver to the Chicago and North Western Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods

ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent, R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent, R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., November 17, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL] [P.R. Doc. 69-13727; Filed, Nov. 18, 1969;
8:47 a.m.]

[S.O. 1002; Car Distribution Direction 70]

ST. LOUIS-SAN FRANCISCO RAILWAY CO. AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) St. Louis-San Francisco Railway Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet

8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent, R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent, R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., November 17, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL] [P.R. Doc. 69-13728; Filed, Nov. 18, 1969;
8:47 a.m.]

[S.O. 1002; Car Distribution Direction 71]

KANSAS CITY SOUTHERN RAILWAY CO. AND CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002:

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Kansas City Southern Railway Co. shall deliver to the Chicago, Rock Island and Pacific Railroad Co. a weekly

total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., November 17, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 69-13729; Filed, Nov. 18, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction 73]

SOUTHERN PACIFIC CO. AND NORTHERN PACIFIC RAILWAY CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) Southern Pacific Co. shall deliver to the Northern Pacific Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., November 17, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 69-13730; Filed, Nov. 18, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction 74]

LOUISVILLE AND NASHVILLE RAILROAD CO. AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Com-

merce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) Louisville and Nashville Railroad Co. shall deliver to the Chicago, Burlington & Quincy Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., November 17, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 69-13731; Filed, Nov. 18, 1969; 8:47 a.m.]

[S.O. 1002; Car Distribution Direction 68, Amdt. 1]

READING CO. ET AL.

Car Distribution

Reading Co., Western Maryland Railway Co., Baltimore and Ohio Railroad Co., and Illinois Central Railroad Co.

Upon further consideration of Car Distribution Direction No. 68 and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 68 be, and it is hereby, amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 69-13737; Filed, Nov. 18, 1969; 8:48 a.m.]

[S.O. 1002; Car Distribution Direction 67, Amdt. 1]

PENN CENTRAL CO. AND CHICAGO, BURLINGTON & QUINCY RAILROAD CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 67, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 67 be, and it is hereby, amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 69-13738; Filed, Nov. 18, 1969; 8:48 a.m.]

[S.O. 1002; Car Distribution Direction 66, Amdt. 1]

SEABOARD COAST LINE RAILROAD CO. ET AL.

Car Distribution

Seaboard Coast Line Railroad Co., St. Louis-San Francisco Railway Co., and Chicago, Rock Island and Pacific Railroad Co.

Upon further consideration of Car Distribution Direction No. 66, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 66 be, and it is hereby, amended by substituting the following paragraph (4) for paragraph (4) thereof:

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., November 16, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 69-13739; Filed, Nov. 18, 1969; 8:48 a.m.]

[S.O. 1002; Car Distribution Direction 72]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO. AND CHICAGO AND NORTH WESTERN RAILWAY CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) The Atchison, Topeka and Santa Fe Railway Co. shall deliver to the Chicago and North Western Railway Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian owner-ships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each seven days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement

slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., November 17, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., November 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

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

Issued at Washington, D.C., November 13, 1969.

INTERSTATE COMMERCE
COMMISSION,
R. D. PFAHLER,
Agent.

[SEAL]

[F.R. Doc. 69-13740; Filed, Nov. 18, 1969; 8:48 a.m.]

[Notice 576]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 14, 1969.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 1042.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.1 (d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.1 (e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 2253 (Deviation No. 1), CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C. 28021, filed November 4, 1969. Carrier's representative: W. C. Mauldin, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Dayton, Ohio, and Ocala, Fla., over Interstate Highway 75, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Dayton, Ohio, over U.S. Highway 25 to Corbin, Ky., thence over U.S. Highway 25-E to Newport, Tenn., thence over U.S. Highway 25 to Asheville, N.C., thence over U.S. Highway 70 to junction North Carolina Highway 18, thence over North Carolina Highway 18 to Shelby, N.C., thence over U.S. Highway 74 to Kings Mountain, N.C., thence over North Carolina Highway 161 to the North Carolina-South Carolina State line, thence over South Carolina Highway 161 to junction U.S. Highway 321, thence over U.S. Highway 321 to junction U.S. Highway 301, thence over U.S. Highway 301 to Ocala, Fla., and return over the same route.

No. MC 65491 (Deviation No. 21), GEORGE W. BROWN, INC., 1475 East 222d Street, Post Office Box 41, Bronx, N.Y. 10469, filed November 6, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Newburg, N.Y., over Interstate Highway 84, to Hartford, Conn.; (2) from Peekskill, N.Y., over U.S. Highway 9 to junction Interstate Highway 84, thence over Interstate Highway 84 to Hartford, Conn.; and (3) from Poughkeepsie, N.Y., over U.S. Highway 9 to junction Interstate Highway 84, thence over Interstate Highway 84 to Hartford, Conn., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From New York over U.S. Highway 9 to Albany, N.Y., thence over U.S. Highway 20 to junction New York Highway 130, thence over New York Highway 130 to Buffalo, N.Y.; (2) from New York, N.Y., over U.S. Highway 9W to Albany, N.Y., thence over New York Highway 5 to junction New York Highway 31B, thence over New York Highway 31B to Weedsport, N.Y., thence over New York Highway 31 to Rochester, N.Y.; (3) from New York, N.Y., over U.S. Highway 1 to New Haven, Conn., thence over U.S. Highway 5 to Springfield, Mass., thence over U.S. Highway 20 to Boston, Mass.; and (4) from Norwalk, Conn., over U.S. Highway 7 to Danbury, Conn., thence over U.S. Highway 6 to junction Massachusetts Highway 3, thence over Massachusetts Highway 3 to Boston, Mass., and return over the same routes.

No. MC 75651 (Deviation No. 4), R. C. MOTOR LINES, INC., Post Office Box 2501, Jacksonville, Fla. 32203, filed November 7, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Jacksonville, Fla., and New York, N.Y., over Interstate Highway 95, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Jacksonville, Fla., over U.S. Highway 17 to Pocatalligo, S.C., thence over Alternate U.S. Highway 17 (formerly portion U.S. Highway 15), to Waterboro, S.C., thence over U.S. Highway 15 to Society Hill, S.C., thence over U.S. Highway 52 to Cheraw, S.C., thence over U.S. Highway 1 to Rockingham, N.C., thence over U.S. Highway 220 to junction U.S. Highway 311, thence over U.S. Highway 311 via High Point, N.C., to Winston-Salem, N.C., thence over U.S. Highway 421 to Greensboro, N.C., thence over U.S. Highway 70 to Durham, N.C., thence over U.S. Highway 15 to Oxford, N.C., thence over U.S. Highway 158 to Henderson, N.C., thence over U.S. Highway 1 to Baltimore, Md. (also from Jacksonville to High Point, N.C., as specified above, thence over U.S. Highway 70 to Durham, N.C., thence to Baltimore, as specified above; also from Jacksonville to Waterboro, S.C., as specified above, thence over U.S. Highway 15 to Laurinburg, N.C., thence over U.S. Highway 501 to Aberdeen, N.C., thence over U.S. Highway 1 to Baltimore; and also from Jacksonville to Laurinburg, N.C., as specified above, thence over U.S. Highway 401 (formerly portion Alternate U.S. Highway 15) to Fayetteville, N.C., thence over U.S. Highway 301 to Petersburg, Va., thence over U.S. Highway 1 to Baltimore, Md.; (2) from Baltimore, Md., over U.S. Highway 1 to Philadelphia, Pa.; and (3) from New York, N.Y., over U.S. Highway 1 via Jersey City and Elizabeth, N.J., to Trenton, N.J. (also from Elizabeth over New Jersey Highway 27 to New Brunswick, N.J., thence over New Jersey Highway 26 to junction U.S. Highway 1, thence over U.S. Highway 1 to Trenton), thence over U.S. Highway 13 to Philadelphia, Pa. (also from New York, N.Y., via the Holland Tunnel to Jersey City, N.J., thence as specified above to Philadelphia), and return over the same routes.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Deviation No. 533) (Cancels Deviation No. 489), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed November 4, 1969, carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Atlanta, Ga., over Interstate Highway 75 to junction Interstate Highway 475 north of Macon, Ga., thence over Interstate Highway 475

to junction Interstate Highway 75, thence over Interstate Highway 75 to junction U.S. Highway 90, thence over U.S. Highway 90 to Lake City, Fla.; (2) from Macon, Ga., over Interstate Highway 75 to junction Interstate Highway 475 north of Macon, Ga.; (3) from Macon, Ga., over Georgia Highway 33 to junction Interstate Highway 475; (4) from Cordele, Ga., over U.S. Highway 41 to junction Georgia Highway 257, thence over Georgia Highway 257 to junction Interstate Highway 75; (5) from Cordele, Ga., over U.S. Highway 280 to junction Interstate Highway 75; (6) from Tifton, Ga., over U.S. Highway 82 to junction Interstate Highway 75; (7) from Valdosta, Ga., over U.S. Highway 84 to junction Georgia Highway 94, thence over Georgia Highway 94 to junction Interstate Highway 75; and (8) from Valdosta, Ga., over U.S. Highway 84 to junction Interstate Highway 75, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Chattanooga, Tenn., over U.S. Highway 41 via Macon, Ga., to Lake City, Fla., thence over U.S. Highway 90 to Jacksonville, Fla., and return over the same route.

No. MC 1515 (Deviation No. 534) (Cancels Deviation No. 249), Greyhound Lines, Inc. (Eastern Division), 1400 West Third St., Cleveland, Ohio 44113, filed November 5, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Sturbridge, Mass., over Massachusetts Highway 15 to junction Interstate Highway 90 (Massachusetts Turnpike) at Interchange No. 9, thence over Interstate Highway 90 (Massachusetts Turnpike) to junction Interstate Highway 495 at Interchange No. 11A, thence over Interstate Highway 495 to junction Interstate Highway 95 just east of Amesbury, Mass., at Interchange No. 44, thence over Interstate Highway 95 to Portsmouth, N.H.; (2) from Worcester, Mass., over Interstate Highway 290 to junction Interstate Highway 90 (Massachusetts Turnpike) at Interchange No. 10, (3) from Worcester, Mass., over Massachusetts Highway 122 to junction access road, thence over access road to junction Interstate Highway 90 (Massachusetts Turnpike), (4) from Worcester, Mass., over Massachusetts Highway 9 to junction Interstate Highway 495 at Interchange No. 11, (5) from Worcester, Mass., over Interstate Highway 290 to junction Interstate Highway 495 at Interchange No. 12, and (6) from Salisbury, Mass., over Massachusetts Highway 110 to junction Interstate Highway 495 at Interchange No. 43, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows:

(1) From Boston, Mass., over U.S. Highway 1 via Newburyport, Mass. (also via bypass route around Newburyport), to the Massachusetts-New Hampshire State line, thence over U.S. Highway 1 via Smithtown, N.H., and Portland and Belfast, Maine, to Stockton Springs, Maine, thence over Alternate U.S. Highway 1 via Bangor and Brewer, Maine to Ellsworth, Maine, thence over U.S. Highway 1 to the United States-Canada Boundary line, (2) from Worcester, Mass., over Massachusetts Highway 12 to junction U.S. Highway 20, thence over U.S. Highway 20 via Charlton City, Mass., to junction Massachusetts Highway 15, thence over Massachusetts Highway 15 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 15 (Wilbur Cross Highway) and the Charter Oak Bridge via junction Connecticut Highways 15 and 74 and U.S. Highway 44 near Tolland Station, Conn., to Hartford, Conn., and (3) from Boston, Mass., over Massachusetts Highway 9 to Worcester, Mass. (also from Boston over U.S. Highway 20 via Northboro, Mass., to junction unnumbered highway at a point approximately 1 mile southwest of Northboro, thence over unnumbered highway via Shrewsbury, Mass., to junction Massachusetts Highway 9 at a point approximately 3 miles east of Worcester, Mass., thence as specified above to Worcester), thence over Massachusetts Highway 12 to junction U.S. Highway 20, thence over U.S. Highway 20 via Fiskdale, Mass., to Springfield, Mass., thence over Massachusetts Highway 116 to Holyoke, Mass., thence over U.S. Highway 202 to junction U.S. Highway 5, thence over U.S. Highway 5 to Northampton, Mass., thence over Massachusetts Highway 9 to Pittsfield, Mass. (also from Springfield, Mass., over U.S. Highway 20 via West Springfield, Mass., to Pittsfield, Mass.; also from West Springfield, Mass., over U.S. Highway 5 to junction U.S. Highway 202 west of Holyoke, Mass.), thence over U.S. Highway 20 to Albany, N.Y., and return over the same routes.

No. MC 109780 (Deviation No. 27), CONTINENTAL TRAILWAYS, INC., 1501 South Central Avenue, Los Angeles, Calif. 90021, filed November 4, 1969. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows. From El Paso, Tex., over Interstate Highway 10 to junction Interstate Highway 25 south of Las Cruces, N. Mex., thence over Interstate Highway 25 to Caballo Lake State Park, N. Mex., with the following access routes: (1) From junction Interstate Highway 10 and New Mexico Highway 342 over New Mexico Highway 342 to Las Cruces, N. Mex., and (2) from junction Interstate Highway 25 and unnumbered access road, over unnumbered access road to Hatch, N. Mex., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent serv-

ice route as follows: From Albuquerque, N. Mex., over U.S. Highway 85 to Las Cruces, N. Mex., thence over U.S. Highway 80 to junction New Mexico Highway 478, thence over New Mexico Highway 478 via Fillmore, Mesquite, and Berino, N. Mex., to junction U.S. Highway 80, thence over U.S. Highway 80 to El Paso, Tex., and return over the same route.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-13732; Filed, Nov. 18, 1969;
8:47 a.m.]

[Notice 1349]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 14, 1969.

The following publications are governed by the new Special Rule 247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, 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.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR Part 240).

MOTOR CARRIERS OF PROPERTY

Finance Docket No. 25906. As part of the merger of the properties of THE ATCHISON, TOPEKA, AND SANTA FE RAILWAY COMPANY into ATCHISON, INC., and for merger of ATCHISON, INC., into AT&SF, INC., the AT&SF, INC., would acquire control of a wholly owned motor common carrier subsidiary of THE ATCHISON, TOPEKA, AND SANTA FE RAILWAY COMPANY, i.e., THE SANTA FE TRAIL TRANSPORTATION COMPANY, 80 East Jackson Boulevard, Chicago, Ill., operating under certificate No. MC-30605 and subnumbers thereunder. Operating rights sought to be controlled: General commodities, excepting, among others, classes A and B explosives, household goods, commodities in bulk, with numerous other specified exceptions, as a common carrier, over regular routes, from, to, and between specified points in the States of Nebraska, Oklahoma, Kansas, Missouri,

Arkansas, Colorado, New Mexico, California, Arizona, and Texas, with certain restrictions, serving various intermediate and off-route points, over numerous alternate routes for operating convenience only, as more specifically described in Docket No. MC-30605 and subnumbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating in full, the entirety, thereof.

No. MC-F-10655. Authority sought for purchase by COOPER-JARRETT, INC., 23 South Essex Avenue, Orange, N.J. 07051, of the operating rights of KANSAS CITY WESTERN EXPRESS, INC., 77 South James Street, Kansas City, Kans. 66118, and for acquisition by R. E. COOPER, JR., also of Orange, N.J. 07051, of control of such rights through the purchase. Applicants' attorneys: Irving Klein, 280 Broadway, New York, N.Y. 10007 and Wentworth E. Griffin, 1221 Baltimore Avenue, Kansas City, Mo. 64105. Operating rights sought to be transferred: General commodities, excepting among others classes A and B explosives, household goods and commodities in bulk, as a common carrier over regular routes, service is authorized to and from points in the Kansas City, Mo., Kansas City, Kans., commercial zone as defined by the Commission, as off-route points in connection with carrier's regular route operations authorized herein, except authority is not granted to transport combines (harvester-threshers) originating at Independence, Mo., on the one hand, and, on the other, destined to points in Colorado, Iowa, Illinois, Kansas, Nebraska, Oklahoma, and Texas, between Topeka, Kans., and Kansas City, Mo., serving the intermediate and off-route points of Perry, Lawrence, Tonganoxie, and Kansas City, Kans. Vehicle is authorized to operate as a common carrier in Missouri, Nebraska, Iowa, Kansas, Oklahoma, Texas, Massachusetts, New York, Ohio, Illinois, Rhode Island, Pennsylvania, New Jersey, Connecticut, Maryland, Indiana, Delaware, Colorado, West Virginia, Kentucky, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10656. Authority sought for purchase by CALORE-COOK TRANS., INC., 131 West Exchange Street, Providence, R.I. 02903, of the operating rights of NEMASKET TRANSPORTATION COMPANY, INC. (ELLIS F. BROWN, Trustee in Bankruptcy), 54 West Grove Street, Middleboro, Mass., and for acquisition by ERNST CALORE, 1150 Cowesett Road, Warwick, R.I., of control of such rights through the purchase. Applicants' attorneys: John F. Curley, 15 Court Square, Boston, Mass. 02108; Kenneth B. Williams, 111 State Street, Boston, Mass. 02109; and Samuel Rosen, 100 State Street, Boston, Mass. 02109. Operating rights sought to be

transferred: *General commodities*, excepting, among others, household goods, dangerous explosives, and commodities in bulk, as a *common carrier*, over regular routes, between Boston, Mass., and Bridgewater and Providentown, Mass.; between Boston, Mass., and Providence, R.I., serving all intermediate and certain off-route points; between New Bedford, Mass., and East Wareham, Mass., serving all intermediate points, and the off-route point of Acushnet, Mass.; *dairy products and empty dairy products containers*, between Boston, Mass., and Portsmouth, R.I., to certain specified points; *Milk, cream, chocolate milk, butter, cheese, eggs, and ice cream mix*, from Falmouth, Mass., to Oak Bluffs, Mass., with service to the intermediate point of Tisbury, Mass.; *general commodities*, excepting, among others, household goods, Classes A and B explosives, and commodities in bulk, over irregular routes, between certain specified points in Massachusetts, on the one hand, and, on the other, points in that part of Massachusetts on and east of Interstate Highway 91; *lumber*, from Portsmouth, R.I., to certain specified points in Massachusetts; and *lubricating oil and grease*, in truckload lots, from Providence, R.I., to certain specified points in Massachusetts. Vendee is authorized to operate as a *common carrier* in Massachusetts, Rhode Island, and Connecticut. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10657. Authority sought for purchase by BARNES FREIGHT LINE, INC., Post Office Box 369, Carrollton, Ga. 30117, of a portion of the operating rights of ANNISTON-TALLADEGA MOTOR EXPRESS, INC., Post Office Box 395, Talladega, Ala. 35160, and for acquisition by B. C. BARNES, also of Carrollton, Ga., of control of such rights through the purchase. Applicants' attorney: Guy H. Postell, 1273 West Peachtree Street NE., Atlanta, Ga. 30309. Operating rights sought to be transferred: Under a certificate of registration in No. MC-99635 Sub-No. 2, covering a portion of the transportation of general commodities, as a *common carrier*, in intrastate commerce, within the State of Alabama; and under a certificate of registration in No. MC-99635 Sub-No. 3, covering a portion of the transportation of general commodities, as a *common carrier*, in intrastate commerce, within the State of Alabama. Vendee is authorized to operate as a *common carrier* in Georgia and Alabama. Application has been filed for temporary authority under section 210a(b). Note: No. MC-108633 Sub-No. 5 is a matter directly related.

No. MC-F-10658. Authority sought for purchase by BURGRABE TRUCK LINES, INC., Warrenton, Mo. 63383, of the operating rights and certain property of HARRY T. HART, doing business as HART TRANSFER, Jonesburg, Mo. 63351, and for acquisition by WARRENTON TRANSPORTATION, INC., Old U.S. Highway 40, Warrenton, Mo. 63383, and in turn by H. R. CLARK, J. PAUL HUNT, KENNETH W. HUNT, EDGAR ALLEN HUNT, PHILLIP W. HUNT,

JAMES E. HUNT, DONALD L. BOLING, I. THOMAS DAVIS, and ROGER L. HUNT, all also of Warrenton, Mo., of control of such rights and property through the purchase. Applicants' attorney: Joseph R. Nacy, 117 West High Street, Post Office Box No. 352, Jefferson City, Mo. 65101. Operating rights sought to be transferred: *General commodities*, except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading; as a *common carrier*, over regular routes, from East St. Louis, Ill., to Jonesburg, Mo., serving the intermediate and off-route points within 10 miles of Jonesburg; *livestock and agricultural products*, from Jonesburg, Mo., to East St. Louis, Ill., serving the intermediate and off-route points within 10 miles of Jonesburg; *tires and empty drums*, from Jonesburg, Mo., to Rock Island, Ill., serving no intermediate points; and *petroleum products, and tires*, from Rock Island, Ill., to Jonesburg, Mo., serving no intermediate points. Vendee is authorized to operate as a *common carrier* in Missouri and Illinois. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10659. Authority sought for purchase by SUBURBAN MOTOR FREIGHT, INC., 1100 King Avenue, Columbus, Ohio 43212, of the operating rights of HERMAN NARDELLA, doing business as POWHATAN TRANSFER COMPANY, 118 Main Street, Powhatan Point, Ohio 43942, and for acquisition by JAMES R. RILEY, also of Columbus, Ohio, of control of such rights through the purchase. Applicants' attorney and representative: Taylor C. Burneson, 88 East Broad Street, Columbus, Ohio, and D. L. Bennett, 129 Edgington Lane, Wheeling, W. Va. 26003. Operating rights sought to be transferred: *Household goods*, as a *common carrier* over irregular routes, between points in Belmont and Monroe Counties, Ohio, on the one hand, and, on the other, points in Pennsylvania and West Virginia; and *general commodities*, except those of unusual value, and except dangerous explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Powhatan Point, Ohio, and points in Ohio within 8 miles of Powhatan Point on the one hand, and, on the other, certain specified points in Pennsylvania, and those in that part of West Virginia on and north of U.S. Highway 50 and west of the West Virginia-Maryland State line near Brookside, W. Va. Vendee is authorized to operate as a *common carrier* in Ohio, Indiana, Illinois, West Virginia, and Michigan. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-13733; Filed, Nov. 18, 1969;
8:48 a.m.]

[Notice 1351]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 14, 1969.

The following publications are governed by the new Special Rule 247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, 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.

APPLICATIONS ASSIGNED FOR ORAL HEARING MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for Hearing outlined below:

SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 29566 (Sub-No. 136), filed October 31, 1969. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. 66105. Applicant's representative: Vernon M. Masters (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as defined in sections A and C of appendix

I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Swift & Co., at or near Glenwood, Iowa, to points in Arkansas, Illinois, Kansas, Missouri, Nebraska, and Oklahoma. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. It further states that it will accept any restriction deemed necessary by the Commission in regards to duplication. Common control may be involved.

HEARING: December 15, 1969, in Room 271, Federal Building, 210 Walnut Street, Des Moines, Iowa, before Examiner James Anton.

No. MC 134134, filed November 3, 1969. Applicant: MAINLINER MOTOR EXPRESS, INC., 5037 South 26th Street, Omaha, Nebr. 68107. Applicant's representative: E. Stephen Heisley, 705 McLachlen Bank Building, 666 11th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed in meat packinghouses* as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Omaha, Nebr., and Council Bluffs, Iowa, to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and West Virginia.

HEARING: December 1, 1969, at the Sheraton-Fontenelle Hotel, 1806 Douglas Street, Omaha, Nebr., before Examiner James O'D Moran.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-13734; Filed, Nov. 18, 1969;
8:48 a.m.]

[Notice 940]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 14, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the *FEDERAL REGISTER*, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the *FEDERAL REGISTER* publication, within 15 calendar days after the date of notice of the filing of the application is published in the *FEDERAL REGISTER*. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 55822 (Sub-No. 10 TA), filed November 6, 1969. Applicant: VICTORY EXPRESS, INC., 2600 Willowburn Avenue, Dayton, Ohio 45427. Applicant's representative: Carl C. Schaefer, Sr. (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, articles of unusual value, household goods, commodities in bulk, and commodities requiring special equipment), between Lemon Township, Butler County, Ohio, near Monroe, Ohio, and points in the United States including Alaska, but excluding Hawaii, restricted to traffic originating at or destined to plantsites, warehouses, and branch facilities of the National Cash Register Co., of Dayton, Ohio; restricted to traffic moving under continuing contract with the National Cash Register Co., of Dayton, Ohio, for 180 days. Supporting shipper: The National Cash Register Co., Dayton, Ohio 45409. Send protests to: Emil P. Schwab, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 108341 (Sub-No. 24 TA), filed November 7, 1969. Applicant: MOSS TRUCKING COMPANY, INC., Post Office Box 8409, Charlotte, N.C. 28208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Architectural precast stone*, from Greensboro, N.C., to New York, N.Y., for 180 days. Supporting shipper: Exposac Industries, Inc., Post Office Box 15027, Winston-Salem, N.C. 27103. Send protests to: Jack K. Huff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 316 East Morehead, Suite 417 (BRS Building), Charlotte, N.C. 28202.

No. MC 110525 (Sub-No. 941 TA), filed November 10, 1969. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Edwin H. van Deusen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from Fort Meade Junction, Md., to points in Delaware, Pennsylvania, Virginia, and the District of Columbia, for 150 days. Supporting shipper: Hercules Division, American Cement Corp., 555 City Line Avenue, Bala-Cynwyd, Pa. 19004. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 111299 (Sub-No. 9 TA), filed November 7, 1969. Applicant: CY KIRVAN, doing business as KIRVAN TRUCK LINE, Box 829, International Falls, Minn. 56649. Applicant's representative: A. R.

Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from La Crosse, Wis., to International Falls, Minn., for 180 days. Supporting shipper: Coca Cola Bottling Co., 1300 Industrial Avenue, International Falls, Minn. 56649. Send protests to: J. H. Ambbs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 268 Federal Building, and U.S. Post Office, 657 Second Avenue North, Fargo, N. Dak. 58102.

No. MC 117370 (Sub-No. 17 TA), filed November 7, 1969. Applicant: STAFFORD TRUCKING, INC., 2155 Hollyhock Lane, Elm Grove, Wis. 53122. Applicant's representative: Nancy J. Johnson, 111 South Fairchild Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, except in dump vehicles, from Portage, Wis., to Hastings, Mich., and Indianapolis and Columbus, Ind., for 150 days. Supporting shipper: Manley Sand Co., Division of Martin Marietta Corp., 110 East Main Street, Rockton, Ill. 61072. Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 120800 (Sub-No. 23 TA), filed November 10, 1969. Applicant: CAPITOL TRUCK LINE, INC., 2500 North Alameda, Compton, Calif. 90222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid natural gas* in specially designed vacuum jacketed trailers, from San Diego, Calif., to Scottsdale, Ariz., for 150 days. Supporting shipper: Energy Systems, Inc., 501 South Third Avenue, Phoenix, Ariz. 85003. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 123233 (Sub-No. 22 TA), filed November 6, 1969. Applicant: PROVOST CARTAGE INC., 7887 Second Avenue, Ville D'Anjou 436, Province of Quebec, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in hopper type vehicles, and *cement* in bags, from ports of entry on the United States of America-Canada boundary line at or near Trout River, N.Y.; Champlain, N.Y.; Highgate Springs, Derby Line, and Norton, Vt.; and Jackman, Maine; to points in Vermont and in New Hampshire, to points in Aroostook, Franklin, Oxford, Penobscot, Piscataquis, and Somerset; to New York Counties; Clinton, Essex, Franklin, Jefferson, Lewis, Onondaga, Oswego, and St. Lawrence Counties, Maine, for 150 days. Supporting shipper: Miron Co., Ltd., 2201 Jarry Street East, Montreal 455, Province of Quebec, Canada. Send protests to: Martin P. Monaghan, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

No. MC 123416 (Sub-No. 2 TA), filed November 6, 1969. Applicant: ORVILLE R. COOPER AND RODGER COOPER, a partnership, doing business as O. R. COOPER & SON, 806 North Harvey Street, Urbana, Ill. 61801. Applicant's representative: Rodger Cooper, 806 North Harvey Street, Urbana, Ill. 61801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, containers, and pallets*, from La Crosse and Sheboygan, Wis., and Newport, Ky., to Champaign, Ill., for 150 days. Supporting shipper: Van Pickerill—Champaign Inc., Interstate 74 Southwest of Lincoln Avenue, Champaign, Ill. 61820. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 123639 (Sub-No. 115 TA), filed November 7, 1969. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo. 80216. Applicant's representative: David Senseney, 3395 South Bannock Street, Englewood, Colo. 80110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and packinghouse products*, from Monfort Packing Co. at Greeley, Colo., to Madison, and Milwaukee, Wis., for 180 days. Supporting shipper: Monfort Packing Co., Box G, Greeley, Colo. 80631. Send protests to: District Supervisor C. W. Buckner, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 127038 (Sub-No. 4 TA), filed November 5, 1969. Applicant: SAM N. COLE, doing business as ALABAMA-GEORGIA EXPRESS, 2616 Commerce Boulevard, Irondale, Ala. 35210. Applicant's representative: John W. Cooper, Suite 1301, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and requiring special equipment), between Birmingham, Ala., and Jackson, Miss., and return, from Birmingham, to Jackson, Miss., over U.S. Highway 11 and Interstate 20 to Meridian, Miss., thence over U.S. Highway 80 and Interstate 20 to Jackson, and return, serving the intermediate point of Meridian, Miss., for 180 days. Note: Applicant intends to tack authority at Birmingham, Ala. Supporting shippers: There are approximately 17 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 133233 (Sub-No. 9 TA), filed November 10, 1969. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, 805 32 Avenue, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fish food*, from Buhl, Idaho, to points in Washington, Montana, Oregon, and points north of the Salmon River in Idaho, for 150 days. Supporting shipper: Rangen, Inc., Post Office Box 706, Buhl, Idaho (Thosleif Rangen, Secretary-Treas.). Send protests to: Keith P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 133070 (Sub-No. 3 TA), filed November 6, 1969. Applicant: TRANS-AIR SERVICE, INC., Post Office Box 230, Buffalo, N.Y. 14225. Applicant's representative: E. M. Rhoney, 887 Niagara Street, Buffalo, N.Y. 14213. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicle parts, such as radiators, heaters, and air conditioners*, from Niagara Falls Airport, Niagara Falls, N.Y., to Lockport, N.Y., and Buffalo, N.Y., return movement, from Lockport, N.Y., and/or Buffalo, on traffic having immediate prior or subsequent movement by aircraft, for 120 days. Note: Applicant intends to tack with MC 133-070 Sub. 2. Supporting shipper: Harrison Radiator Division, General Motors Corp., Lockport, N.Y. 14094. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Office Building, 121 Ellicott Street, Buffalo, N.Y. 14203.

No. MC 134114 TA (Correction), filed October 20, 1969, published in the FEDERAL REGISTER, issues of October 28, 1969, and November 7, 1969, and republished, this issue. Applicant: ELMER WILSON, doing business as NEBRASKA BEEF EXPRESS, 8024 State Street, Ralston, Nebr. 68501. Applicant's representative: Kenneth P. Weiner, 630 City National Bank Building, Omaha, Nebr. 68102. Note: The purpose of this partial republication is to include "Waterloo, Iowa", as a destination point, which was inadvertently omitted in the previous publication. The rest of the application remains as published.

No. MC 134137 TA, filed November 3, 1969. Applicant: PARAMOUNT EQUIPMENT RENTAL CO., 2501 West Rosecrans, Compton, Calif. 90222. Applicant's representative: Floyd C. Ellis, Suite 757, Roosevelt Building, 727 West Seventh Street, Los Angeles, Calif. 90017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toys; toy parts; machinery; machinery parts; equipment, supplies, and paperboard packaging materials*, between plantsites, warehouses, and other facilities of Mattel, Inc., and its wholly owned subsidiaries in Los Angeles County, Calif., on the one

hand, and Calexico, Calif., on the other hand, for 180 days. Note: Applicant states that shipments will be delivered to or received from foreign (Mexican) carrier at border in Calexico, Calif., in movement to or from Mattel, Inc., assembly facility located in Mexicali, Baja, Calif., and Mexico. Supporting shipper: Mattel, Inc., 5150 Rosecrans Avenue, Hawthorne, Calif. 90250. Send protests to: Robert G. Harrison, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

MOTOR CARRIER OF PASSENGERS

No. MC 134143 TA, filed November 10, 1969. Applicant: MACKENZIE TOURS, LTD., 210 York Street, Bridgewater, Nova Scotia, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in round trip charter operations, beginning and ending at the port of entry on the United States/Canada Boundary line at or near Houlton, Maine, to Houlton and Bangor, Maine, and Boston and Waltham, Mass., for 180 days. Supporting shipper: Acadia University, Wolfville, Nova Scotia, Canada. Send protests to: Donald G. Weller, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Portland, Maine 04112.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-13736; Filed, Nov. 18, 1969;
8:48 a.m.]

[Notice 444]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 10, 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-71648. By order of October 31, 1969, the Motor Carrier Board approved the transfer to Cargo Express, Inc., Niles, Ohio, of that portion of the operating rights in certificate No. MC-14702 (Sub-No. 17) issued May 21, 1968, to Ohio Fast Freight, Inc., Warren, Ohio, authorizing the transportation, over irregular routes, of iron, steel, manufactured iron and steel articles, motors,

machinery, and machinery parts, between points in Portage County, Ohio, on the one hand, and, on the other, Buffalo and Rochester, N.Y., points in Indiana, points in Illinois in the Chicago, Ill., commercial zone, points in Erie, Crawford, Mercer, Venango, Lawrence, Beaver, Washington, Allegheny, Butler, and Greene Counties, Pa., those in Hancock, Brooke, Ohio, and Marshall Counties, W. Va., and those in Michigan on and south of Michigan Highway 46. Paul F. Beery, 88 East Broad Street, Columbus, Ohio 43215, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-13683; Filed, Nov. 17, 1969;
8:48 a.m.]

[Notice 444A]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 10, 1969.

Application filed for temporary authority under section 210(a) (b) in connection with transfer application under section 212(b) and transfer rules, 49 CFR Part 1132:

No. MC-FC-71750. By application filed November 6, 1969, C.B.L. TRUCKING & LEASING, INC., 1125 Capitol Highway, Pennsauken, N.J., 08110, seeks temporary authority to lease the operating rights of GRATALE BROTHERS, INC., 461 River Road, Clifton, N.J. 07013, under section 210a(b). The transfer to C.B.L. TRUCKING & LEASING, INC., of the operating rights of GRATALE BROTHERS, INC., is presently pending.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-13684; Filed, Nov. 17, 1969;
8:48 a.m.]

[Notice 446]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 13, 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-71587. By order of November 10, 1969, the Motor Carrier Board approved the transfer to Mainliner Motor Express, Inc., Omaha, Nebr., of those portions of the operating rights in certificates Nos. MC-94265 (Sub-No. 93), MC-94265 (Sub-No. 114), and MC-94265 (Sub-No. 149) issued May 3, 1965, No-

vember 10, 1965, and April 18, 1967, respectively, to Bonney Motor Express, Inc., Norfolk, Va., authorizing the transportation, over irregular routes, of meats, meat products, and meat byproducts, and articles distributed by meat packing-houses (except commodities in bulk, in tank vehicles, and hides) from Harlan, Iowa, to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and West Virginia, and from Sioux City, Iowa, to points in New York, New Jersey, Pennsylvania, Massachusetts, Rhode Island, Connecticut, Delaware, and West Virginia; meats, meat products, and meat byproducts, and articles distributed by meat packing-houses (except commodities in bulk, in tank vehicles) from York, Nebr., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, and the District of Columbia, and from the plant site of Platte Valley Packing Co. near Cozad, Nebr., to points in Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia; and meats, meat products, and meat byproducts (except commodities in bulk, in tank vehicles) from Lexington, Nebr., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, and the District of Columbia. E. Stephen Heisley, Suite 705, McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001, attorney for applicants.

No. MC-FC-71561. By order of November 7, 1969, the Motor Carrier Board approved the transfer to The Republic Corp. of Houston, Texas, Houston, Tex., of the certificate in No. MC-117867, issued June 11, 1969, to Carpenter Bros. Trucking, Inc., Denver, Colo., authorizing the transportation of bananas from New Orleans, La., to Colorado Springs, Denver, and Pueblo, Colo.; and from Freeport, Tex., to Gallup and Albuquerque, N. Mex., and Denver, Colo. Herbert M. Boyle, 946 Metropolitan Building, Denver, Colo. 80282, attorney for applicants.

No. MC-FC-71703. By order of November 10, 1969, the Motor Carrier Board approved the transfer to Wisconsin A & D Terminals, Inc., Milwaukee, Wis., of the certificate in No. MC-83671, issued September 22, 1965 to West Town Transfer & Storage Co., Inc., Milwaukee, Wis., authorizing the transportation of household goods, office furniture and equipment and store fixtures between points in Milwaukee County, Wis., on the one hand, and, on the other, points in Illinois. William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis. 53203, attorney for applicants.

No. MC-FC-71719. By order of November 7, 1969, the Motor Carrier Board approved the transfer to Mukluk Freight Lines, Inc., Anchorage, Alaska, of certificate No. MC-118518 (Sub-No. 3) issued August 24, 1964, to James G. Dye, doing business as Mukluk Freight Lines, Anchorage, Alaska, authorizing the transportation of: General commodities,

with the usual exceptions, between specified points in Alaska. Julian C. Rice, Post Office Box 516, Fairbanks, Alaska 99701, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-13685; Filed, Nov. 17, 1969;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-323]

PACIFIC GAS AND ELECTRIC CO.

Notice of Hearing on Application for Provisional Construction Permit

In the matter of Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant, Unit 2).

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, Licensing of Production and Utilization Facilities, and Part 2, Rules of Practice, notice is hereby given that a hearing will be held at 10 a.m., local time, on January 13, 1970, in the San Luis Obispo City Hall, Council Chambers, 990 Palm Street, San Luis Obispo, Calif., to consider the application filed under section 104b. of the Act by Pacific Gas and Electric Co. (the applicant), for a provisional construction permit for a pressurized water nuclear reactor designed to operate initially at 3,250 megawatts (thermal) located on the applicant's Diablo Canyon site, San Luis Obispo County, Calif.

The hearing will be conducted by the Atomic Safety and Licensing Board designated by the Atomic Energy Commission, consisting of Dr. Hugh C. Paxton, Los Alamos, N. Mex.; Dr. Thomas H. Pigford, Berkeley, Calif.; and Mr. James P. Gleason, Chairman, Washington, D.C. Dr. Rolf Eliassen, Stanford, Calif., has been designated as a technically qualified alternate, and Jack M. Campbell, Esq., Santa Fe, N. Mex., has been designated as an alternate qualified in the conduct of administrative proceedings.

A prehearing conference will be held by the Board in the San Luis Obispo City Hall, Council Chambers, 990 Palm Street, San Luis Obispo, Calif., December 5, 1969, at 10 a.m., local time, to consider the matters provided for consideration by § 2.752 of 10 CFR Part 2 and section II of Appendix A to 10 CFR Part 2.

The Director of Regulation proposes to make affirmative findings on Item Nos. 1-3 and a negative finding on Item 4 specified below as the basis for the issuance of a provisional construction permit to the applicant substantially in the form proposed in Appendix A hereto.

1. Whether in accordance with the provisions of 10 CFR § 50.35(a):

(a) The applicant has described the proposed design of the facility including, but not limited to, the principal architectural and engineering criteria for the design, and has identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the applicant and the applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest dates stated in the application for completion of construction of the proposed facility, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public;

2. Whether the applicant is technically qualified to design and construct the proposed facility;

3. Whether the applicant is financially qualified to design and construct the proposed facility; and

4. Whether the issuance of a permit for the construction of the facility will be inimical to the common defense and security or to the health and safety of the public.

In the event that this proceeding is not a contested proceeding, as defined by § 2.4 of the Commission's rules of practice, 10 CFR Part 2, the Board will, without conducting a de novo evaluation of the application, consider the issues of whether the application and the record of the proceeding contain sufficient information, and the review by the Commission's regulatory staff has been adequate, to support the findings proposed to be made and the provisional construction permit proposed to be issued by the Director of Regulation.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as the issues in this proceeding, Item Nos. 1 through 4 above as the basis for determining whether a provisional construction permit should be issued to the applicant.

As they become available, the application, the applicant's summary of the application, the report of the Commission's Advisory Committee on Reactor Safeguards (ACRS) and the Safety Evaluation by the Commission's regulatory staff will be placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., where they will be available for inspection by members of the public. Copies of this notice of hearing, the ACRS report, the applicant's summary of the application and the regulatory staff's Safety Evaluation will also be available at the City Clerk's Office, San Luis Obispo City Hall, 990 Palm Street, San Luis Obispo, Calif., for inspection by members of the public each weekday between the hours of 9 a.m. and 5 p.m. Copies of the ACRS report and

the regulatory staff's Safety Evaluation may be obtained by request to the Director of the Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Any person who wishes to make an oral or written statement in this proceeding setting forth his position on the issues specified, but who does not wish to file a petition for leave to intervene, may request permission to make a limited appearance pursuant to the provisions of § 2.715 of the Commission's rules of practice. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, by December 2, 1969.

Any person whose interest may be affected by the proceeding who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a petition for leave to intervene.

Petitions for leave to intervene, pursuant to the provisions of § 2.714 of the Commission's rules of practice, must be received in the Office of the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than December 2, 1969, or in the event of a postponement of the prehearing conference, at such time as the Board may specify. The petition shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by Commission action, and the contentions of the petitioner in reasonably specific detail. A petition which sets forth contentions relating only to matters outside the Commission's jurisdiction will be denied. A petition for leave to intervene which is not timely filed will be denied unless the petitioner shows good cause for failure to file it on time.

A person permitted to intervene becomes a party to the proceeding, and has all the rights of the applicant and the regulatory staff to participate fully in the conduct of the hearing. For example, he may examine and cross-examine witnesses. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of § 2.705 of the Commission's rules of practice, must be filed by the applicant on or before December 2, 1969.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceed-

ings Branch, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Pending further order of the Board, parties are required to file, pursuant to the provisions of § 2.708 of the Commission's rules of practice, an original and 20 conformed copies of each such paper with the Commission.

Dated at Washington, D.C., this 17th day of November 1969.

UNITED STATES ATOMIC
ENERGY COMMISSION,
W. B. McCool,
Secretary.

APPENDIX A

PROVISIONAL CONSTRUCTION PERMIT

[Construction Permit No. -----]

1. Pursuant to section 104b. of the Atomic Energy Act of 1954, as amended (the Act), and Title 10, Chapter 1, Code of Federal Regulations, Part 50, Licensing of Production and Utilization Facilities, and pursuant to the order of the Atomic Safety and Licensing Board, the Atomic Energy Commission (the Commission) hereby issues a provisional construction permit to Pacific Gas and Electric Co. (the applicant) for a utilization facility (the facility), designed to operate at 3,250 megawatts (thermal) described in the application and amendments thereto (the application) filed in this matter by the applicant and as more fully described in the evidence received at the public hearing upon that application. The facility, known as Diablo Canyon Nuclear Power Plant, Unit 2, will be located at the applicant's Diablo Canyon site in San Luis Obispo County, Calif.

2. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the conditions specified or incorporated below:

A. The earliest date for the completion of the facility is December 31, 1973, and the latest date for completion of the facility is December 31, 1974.

B. The facility shall be constructed and located at the site as described in the application at Diablo Canyon, San Luis Obispo County, Calif.

C. This construction permit authorizes the applicant to construct the facility described in the application and the hearing record in accordance with the principal architectural and engineering criteria set forth therein.

3. This permit is provisional to the extent that a license authorizing operation of the facility will not be issued by the Commission unless (a) the applicant submits to the Commission, by amendment to the application, the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; and (c) the applicant submits proof of financial protection and the execution of an indemnity agreement as required by section 170 of the Act.

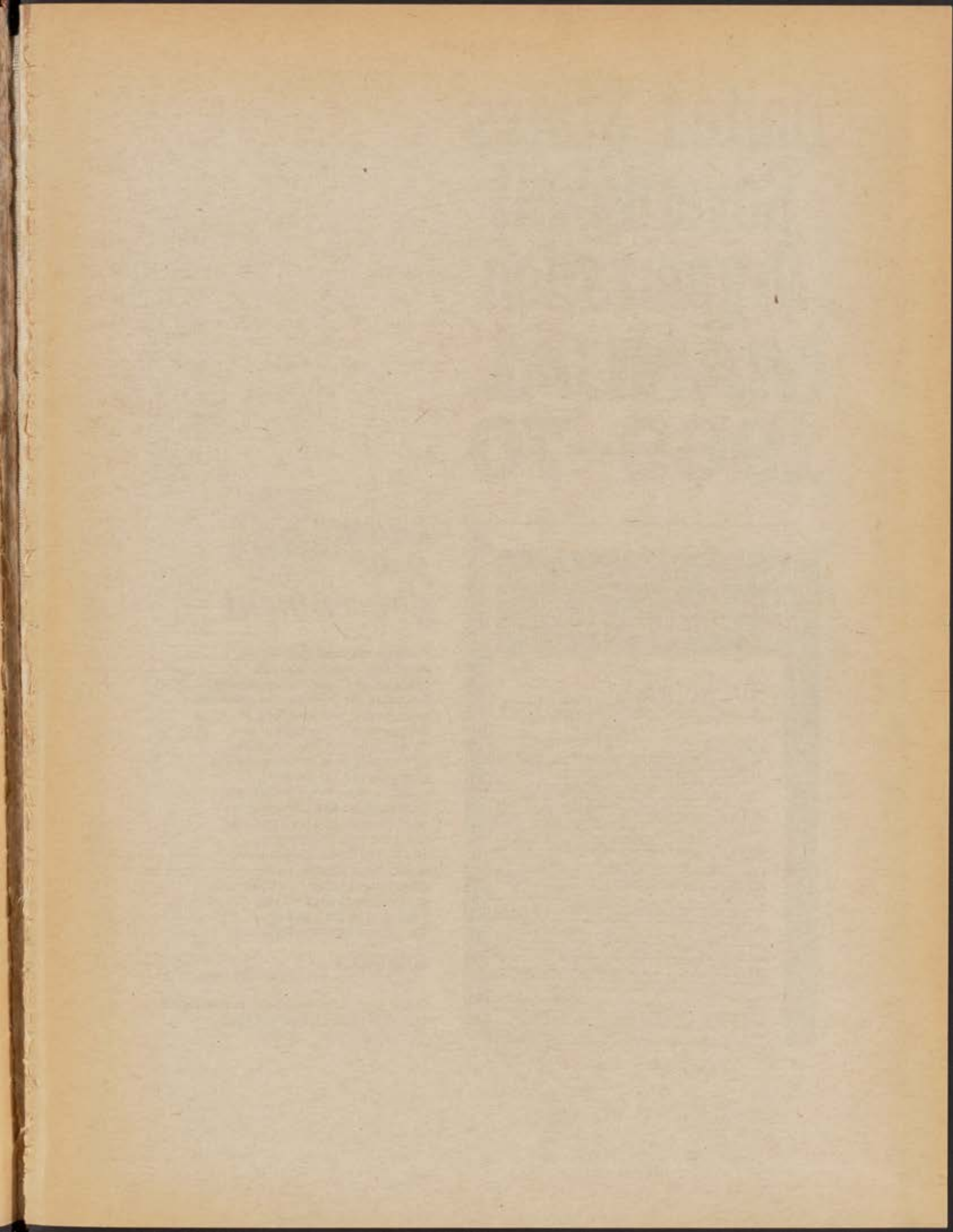
For the Atomic Energy Commission.
[F.R. Doc. 69-13823; Filed, Nov. 18, 1969;
9:17 a.m.]

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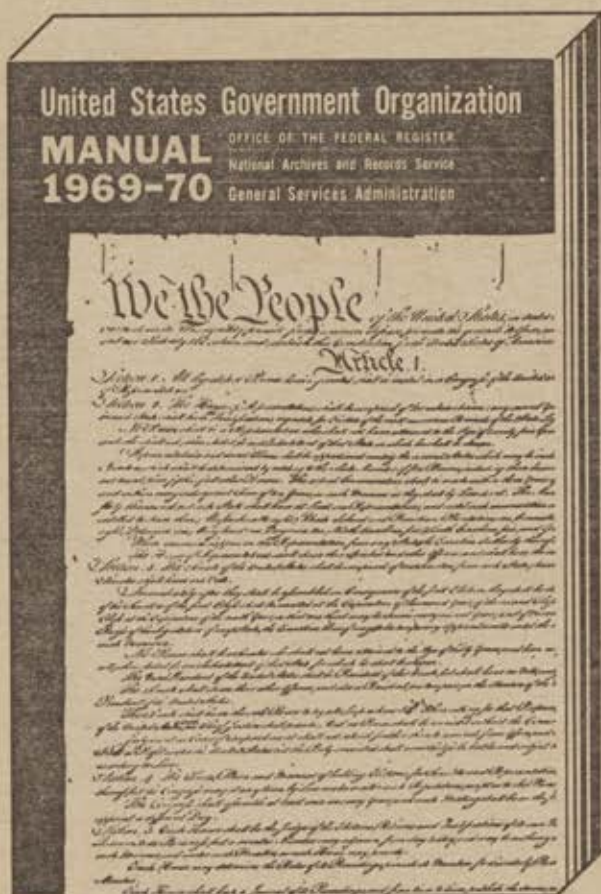
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