

FEDERAL REGISTER

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Business and Defense Services
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Civil Aeronautics Board
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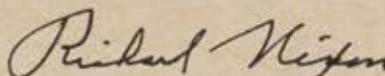
Title 3—THE PRESIDENT

Executive Order 11530

AMENDING EXECUTIVE ORDER NO. 10624, AS AMENDED, PROVIDING FOR REGULATIONS RELATING TO PERSONNEL OF THE DEPARTMENT OF AGRICULTURE ASSIGNED TO SERVICE ABROAD

By virtue of the authority vested in me by Section 603 of the Act of August 28, 1954, 68 Stat. 909, and by Section 301 of Title 3 of the United States Code, and as President of the United States, that portion of Section 2 of Executive Order No. 10624¹ of July 28, 1955, as amended by Section 3 of Executive Order No. 10903 of January 9, 1961, which precedes the clause numbered (1), is hereby further amended to read as follows:

"SEC. 2. In addition to rules and regulations pertaining to allowances and benefits otherwise applicable to personnel assigned abroad by the Secretary of Agriculture under Title VI of the Act of August 28, 1954, or other authority, there shall be applicable to such personnel the rules and regulations prescribed by the Secretary of State in pursuance of".



THE WHITE HOUSE,
May 26, 1970.

[F.R. Doc. 70-6688; Filed, May 26, 1970; 2:00 p.m.]

¹ 20 F.R. 5445; 3 CFR, 1954-1958 Comp., p. 262.

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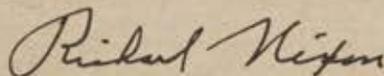
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Executive Order 11531**DELEGATING AUTHORITY OF THE PRESIDENT UNDER SECTION 4102(a)(2)(B) OF TITLE 5, UNITED STATES CODE, TO DESIGNATE U.S. MARSHALS AND U.S. ATTORNEYS FOR TRAINING**

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, I hereby delegate to the Attorney General the authority vested in me by Section 4102(a)(2)(B) of Title 5, United States Code, to designate individuals appointed by the President as United States Attorneys and United States Marshals for training under Chapter 41 of Title 5, United States Code.



THE WHITE HOUSE,
May 26, 1970.

[F.R. Doc. 70-6689; Filed, May 26, 1970; 2:00 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 730—RICE

Subpart—1970-71 Marketing Year

DETERMINATION OF COUNTY NORMAL YIELDS FOR 1970 CROP

The regulations contained in § 730.1507 are issued pursuant to and in conformity with the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended. Section 301(b)(13), subparagraphs (D) and (F), of the Act provide definitions for county normal yields as follows:

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

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

Prior to the issuance of the regulations for determining county normal yields for 1970 and the determination of county normal yields thereunder, public notice (34 F.R. 15485) was given in accordance with 5 U.S.C. 553. No data, views, or recommendations pertaining thereto were submitted pursuant to such notice. Since farmers will be harvesting rice in areas prior to the date that county normal yields would ordinarily become effective (30 days after publication in the FEDERAL REGISTER), it is hereby found that the proclamations and determinations herein shall become effective upon the date of filing of this document with the Director, Office of the Federal Register.

Section 730.1507 is issued to provide the regulations for determining county

normal yields and to proclaim the yields for the 1970 crop of rice determined thereunder.

§ 730.1507 County normal yield for 1970 crop rice.

(a) *Regulations.* County normal yields for 1970 crop rice shall be determined by computing the average yield per harvested acre of rice for each county producing rice during the years 1965 through 1969, adjusted for abnormal weather conditions and other uncontrollable natural causes and for trends in yields. Where data for any year are not available, or there was no actual yield, an appraised yield for such year shall be determined on the basis of the yields obtained in surrounding counties during such year and the yield in years for which data are available. Adjustments for abnormal weather conditions and other uncontrollable natural causes shall be as follows: For any annual yield, including an appraised yield, which is less than 75 per centum of the 5-year (1965-69) average yield, 75 per centum of such average shall be substituted therefor; and for any annual yield, including an appraised yield, which is in excess of 125 per centum of the 5-year (1965-69) average yield, 125 per centum of such average shall be substituted therefor. The adjustment for trends in yields shall be made by adopting as the county normal yield the simple average of (1) the 1965-69 average yield per harvested acre of rice for the county, adjusted for abnormal weather conditions and other uncontrollable natural causes as provided in the preceding sentence, and (2) the 1968-69 average yield per harvested acre of rice for the county, similarly adjusted, except that no trend adjustment shall be made unless the 2-year adjusted average is higher than the 5-year adjusted average. Notwithstanding the adjustments as indicated above, no county normal yield shall be less than the unadjusted 5-year (1965-69) average yield.

(b) *Statistical data.* Section 301(c) of the Agricultural Adjustment Act of 1938, as amended, provides that "The latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this act." In accordance therewith, the annual yields of rice for counties in the States of Arkansas, California, Louisiana, Mississippi, Missouri, and Texas used in the determination of county normal yields in this section shall be the latest official yields determined by the Statistical Reporting Service of the Department, on the basis of its estimate of harvested acres and production of rice in applicable counties of those States during each of the years 1965 through 1969, except that if such a yield for any year is not available, an appraised yield shall be used for such year. In the minor rice-producing States of Florida, North Carolina, Okla-

homa, South Carolina, and Tennessee where no official estimates of rice yields were available, the annual rice yields for the years 1965 through 1969 used in determining the county normal yields in this section for the applicable counties in these States shall be those obtained by special surveys covering all farms producing rice in any of the calendar years 1965 through 1969.

(c) *Proclamation of county normal yields.* County normal yields for 1970 crop rice, determined in accordance with paragraphs (a) and (b) of this section, are as follows:

ARKANSAS		Normal yield per harvested acre (pounds)	
County			
Arkansas	4,583	Lafayette	3,614
Ashley	4,369	Lawrence	4,606
Chicot	4,329	Lee	4,200
Clark	3,755	Lincoln	4,488
Clay	4,576	Little River	4,214
Conway	4,066	Lonoke	4,586
Craighead	4,765	Miller	3,678
Crittenden	4,203	Mississippi	4,634
Cross	4,737	Monroe	4,435
Dallas	3,819	Perry	4,160
Desha	4,392	Phillips	4,136
Drew	4,225	Poinsett	4,794
Faulkner	4,103	Prairie	4,535
Grant	3,190	Pulaski	4,294
Greene	4,503	Randolph	4,348
Hot Spring	3,995	St. Francis	4,147
Independence	4,397	White	4,283
Jackson	4,475	Woodruff	4,421
Jefferson	4,247	State	4,517

CALIFORNIA			
County			
Butte	5,080	Riverside	4,100
Colusa	5,415	Sacramento	5,240
Fresno	4,735	San Joaquin	5,405
Glenn	5,495	Stanislaus	5,100
Imperial	4,000	Sutter	5,595
Kern	4,700	Tulare	4,660
Kings	3,640	Yolo	5,270
Madera	4,865	Yuba	5,130
Merced	5,280	State	5,319
Placer	5,060		

FLORIDA			
County			
Collier	1,182	Lee	1,182
Hardee	900	Martin	900
Hendry	2,200	Palm Beach	1,486
Hillsborough	1,200	State	1,456

LOUISIANA (Parishes)			
Parish			
Acadia	3,795	Morehouse	4,345
Allen	3,680	Ouachita	3,633
Ascension	3,455	Pointe Coupee	3,707
Assumption	2,800	Rapides	3,936
Avoyelles	3,670	Richland	4,022
Beauregard	3,129	St. Charles	2,300
Bossier	3,000	St. James	3,100
Calcasieu	3,210	St. John	
Cameron	3,645	the Baptist	3,180
Catahoula	4,161	St. Landry	3,970
Concordia	3,900	St. Martin	3,410
East Carroll	3,870	St. Mary	2,970
Evangeline	3,985	St. Tammany	2,100
Franklin	4,015	Tensas	4,123
Grant	3,800	Terrebonne	2,800
Iberia	3,322	Vermilion	3,640
Iberville	3,350	West Baton	
Jefferson Davis	3,800	Rouge	3,500
Lafayette	3,620	West Carroll	3,805
Lafourche	1,900	State	3,687
Madison	4,150		

Dated: May 27, 1970.

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

[F.R. Doc. 70-6740; Filed, May 27, 1970;
11:14 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1970 and Subsequent Crop Oats Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 and Subsequent Crops Oats Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops (35 F.R. 7363) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1970 and subsequent crops of oats by adding §§ 1421.245-1421.254 to read as follows. The material previously appearing in §§ 1421.2651-1421.2660 remains in full force and effect as to the 1966 through 1969 crops of oats.

Sec.

- 1421.245 Purpose.
- 1421.246 Availability.
- 1421.247 Eligible oats.
- 1421.248 Determination of quality.
- 1421.249 Determination of quantity.
- 1421.250 Warehouse receipts.
- 1421.251 Fees and charges.
- 1421.252 Warehouse charges.
- 1421.253 Maturity of loans.
- 1421.254 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.245 Purpose.

This supplement contains program provisions which, together with the annual crop year supplement, and the provisions of the General Regulations Governing Price Support for the 1970 and Subsequent Crops and any amendments thereto or revisions thereof (such regulations are referred to in this subpart as "General Regulations") apply to loans and purchases for the 1970 and subsequent crops oats.

§ 1421.246 Availability.

Producers desiring price support must obtain a loan or notify the ASCS county office of intentions to sell to CCC no later than the dates set forth in the annual crop year supplement to the regulations in this subpart.

§ 1421.247 Eligible oats.

(a) *General.* In order to be eligible for price support the oats must be merchantable for use as food or feed or for other uses, as determined by CCC, and must not contain mercurial compounds

MISSISSIPPI

County	Normal yield per harvested acre (pounds)	County	Normal yield per harvested acre (pounds)
Bollivar	4,164	Quitman	3,922
Coahoma	4,236	Sharkey	4,457
De Soto	4,003	Sunflower	4,397
Hancock	2,861	Tallahatchie	4,023
Humphreys	4,132	Tate	4,152
Issaquena	3,361	Tunica	3,977
Laflore	4,212	Washington	4,346
Panola	4,088	State	4,199

MISSOURI

Butler	4,520	Pemiscot	4,627
Lewis	2,800	Ripley	4,434
Lincoln	3,268	St. Charles	4,225
Marion	4,336	Scott	4,663
Mississippi	3,100	Stoddard	4,633
New Madrid	4,582	State	4,516

NORTH CAROLINA

Brunswick	1,126	State	1,826
Hyde	2,047		

OKLAHOMA

McCurtain	3,398
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SOUTH CAROLINA

Berkeley	2,546	Horry	1,500
Charleston	2,315	Jasper	2,064
Colleton	1,631	Kershaw	1,499
Georgetown	1,000	State	1,961

TENNESSEE

Dyer	3,763	Lauderdale	4,352
Payette	2,300	State	4,212

TEXAS

Austin	4,850	Lavaca	4,700
Bowie	4,104	Liberty	4,140
Brazoria	3,920	Matagorda	4,968
Calhoun	4,680	Newton	3,842
Chambers	4,050	Orange	3,220
Colorado	4,950	Polk	2,800
Fort Bend	4,520	Travis	4,216
Galveston	3,930	Victoria	4,935
Hardin	3,846	Walker	2,700
Harris	4,610	Waller	4,830
Jackson	4,888	Washington	3,200
Jasper	3,556	Wharton	5,050
Jefferson	3,850	State	4,472

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

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

Signed at Washington, D.C., on May 21, 1970.

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

[F.R. Doc. 70-6614; Filed, May 27, 1970;
8:49 a.m.]

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

[Valencia Orange Reg. 315]

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

Limitation of Handling

§ 908.615 Valencia Orange Regulation 315.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part

908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 26, 1970.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 29, 1970, through June 2, 1970, are hereby fixed as follows:

- (i) District 1: 231,000 cartons;
- (ii) District 2: 273,000 cartons;
- (iii) District 3: 196,000 cartons.

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

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

or substances poisonous to man or animals.

(b) *Warehouse stored loan grade requirements.* Oats to be placed under a warehouse storage loan also must meet the following requirements:

(1) The oats must grade No. 3 or better, except that (i) they may grade No. 4 on the factor of test weight, and because of being badly strained or materially weathered, and (ii) they may have the special grade designation "Garlicky".

(2) The oats must not grade "Weevily" or have moisture over 14 percent unless the warehouse receipt representing the oats is accompanied by a supplemental certificate which provides that the warehouseman shall deliver oats which are not "Weevily," do not contain in excess of 14 percent moisture, and are otherwise of an eligible grade and quality. The grade, quality and quantity shown on the supplemental certificate shall be as provided in § 1421.250(b).

(3) The oats must not grade Smutty, Ergoty, Bleached or Thin or otherwise of a distinctly low quality.

§ 1421.248 Determination of quality.

The grade, grading factors and all other quality factors shall be based on the Official Grain Standards of the United States for Oats, whether or not the determination is made on the basis of an official inspection.

§ 1421.249 Determination of quantity.

When the quantity is determined by weight, a bushel shall be 32 pounds of oats. In determining the quantity of sacked oats by weight, a deduction of three-fourths of a pound for each sack shall be made.

(a) *In warehouse.* The quantity of oats on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable. If the oats have been dried or blended to reduce the moisture content, the quantity specified on the warehouse receipt or the supplemental certificate, if applicable, shall represent the quantity after drying or blending, and such quantity shall reflect a minimum shrink in the receiving weight of 1.2 times the percentage difference between the moisture content of the oats, when received, and 14 percent.

(b) *On farm.* The quantity eligible to be placed under farm-storage loan will be determined in accordance with § 1421.18. The quantity acquired by CCC from farm storage under a loan or purchase shall be determined by weight.

§ 1421.250 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate receipt must be submitted for each grade and class of oats.

(b) *Entries for weight and grade.* Each warehouse receipt, or the warehouseman's supplemental certificate properly identified with the warehouse

receipt must show: (1) Net weight and bushels, (2) class, (3) grade (including special grades), (4) test weight, (5) moisture if in excess of 14 percent, (6) and other grading factor(s) when such factor(s) and not test weight determine the grade, (7) whether the oats were received by truck, rail, or barge, (8) the date the oats were received or deposited in the warehouse.

(c) *Where warehouse receipt shows "Weevily" or moisture over 14 percent.* If a warehouse receipt tendered for a warehouse storage loan indicates the oats grade "Weevily" or contain over 14 percent moisture the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.247. The grade, grading factors and the quantity to be delivered must be shown on the supplemental certificate as follows:

(1) When the warehouse receipt shows "Weevily" and the oats have been conditioned to remove the "Weevily" designation, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt.

(2) When the warehouse receipt shows the oats contain more than 14 percent moisture and the oats have been dried or blended, the supplemental certificate must show the grade, grading factors and quantity after drying or blending the oats to a moisture content of not over 14 percent. The quantity shown on the supplemental certificate shall reflect a drying or blending shrink as specified in § 1421.249.

(3) The supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt.

(4) In the case of conditions in subparagraphs (1) and (2) of this paragraph, the grade and grading factors and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipts.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.252.

§ 1421.251 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.11.

§ 1421.252 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the oats represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the oats are deposited in the warehouse for storage. Warehouse receipts and the oats represented thereby stored in an approved warehouse operated by an Eastern common carrier may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Com-

merce Commission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the oats when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of oats stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deduction shall be made. If such written evidence is not submitted, the date to be used for computing the storage deduction on oats stored in warehouses operating under the Uniform Grain Storage Agreement shall be the latest of the following:

(1) The date the oats were received or deposited in the warehouse;

(2) The date storage charges start, or

(3) The day following the date through which the storage charges have been paid.

(c) *Deduction of storage charges, Eastern common carrier.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of oats stored in an approved warehouse operated by an Eastern common carrier. Such deduction shall be based on entries shown on the warehouseman's supplemental certificate and delivery order. If written evidence is submitted with the supplemental certificate and delivery order that all warehouse charges except elevation charges have been prepaid through the applicable loan maturity date, no storage deduction shall be made. Where the producer presents evidence showing the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges set forth in the table in the annual crop year supplement.

§ 1421.253 Maturity of loans.

Loans will mature on demand but not later than the date specified in the annual crop year supplement to the regulations in this subpart.

§ 1421.254 Support rates.

Basic support rates: The basic county support rates and the schedule of premiums and discounts for use in making loans and for use in settling loans and for purchases shall be set forth in the annual crop year supplement to the regulations in this subpart.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C. on May 21, 1970.

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

[F.R. Doc. 70-6638; Filed, May 27, 1970; 8:51 a.m.]

[CCC Grain Price Support Reseal Loan Regs., 1965 and Subsequent Storage Periods (1970-71 Supp.)]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—Farm Storage Reseal Loan Program (1970-71 Storage Period Supplement)

The regulations issued by CCC and published at 33 F.R. 5201, as amended, are hereby supplemented for the 1970-71 storage period by revising §§ 1421.3533—1421.3539 (containing provisions applicable to specific storage periods) to read as follows. The material previously appearing in these sections remains in full force and effect with respect to the 1969-70 storage period.

Sec.

1421.3533 Reseal loan programs authorized.
1421.3534 Area of availability.
1421.3535 Storage payment rates.
1421.3536 Additional storage and quality requirements.
1421.3537 Authorized storage period.
1421.3538 Warehouse receipt requirements.
1421.3539 Settlement.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.3533 Reseal loan programs authorized.

A reseal loan program is authorized for the following crops of specific commodities held in farm storage:

1965, 1966, 1967, 1968, and 1969 crop barley.
1967, 1968, and 1969 crop corn.
1967, 1968, and 1969 crop grain sorghum.
1965, 1966, 1967, 1968, and 1969 crop oats.
1967, 1968, and 1969 crop soybeans.
1967, 1968, and 1969 crop wheat.

§ 1421.3534 Area of availability.

Area and scope: The reseal loan program for the specified crops of the designated commodities will be available to producers in the areas in which price support was made available with respect to the designated crops of the commodities as the State ASC Committees, after considering the generally prevailing weather, the general condition of the crop, and other factors affecting safe storage throughout the area, determine that the commodity can be safely stored on farms therein for the 1970-71 storage period and that such reseal loans will, therefore, be advantageous to producers and CCC; except that in any area designated by the State ASC Committee as an angoumois moth area, a producer may obtain a reseal loan with respect to eligible corn only in the State ASC Committee determines that (a) the producer's corn is shelled and (b) the producer has satisfactory storage facilities and equipment to care properly for the corn while under reseal. Producers having commodities under loan will be timely notified of the ASC Committee's determination.

§ 1421.3535 Storage payment rates.

(a) 1970-71 storage period. Storage payment rates for the 1970-71 period will

be computed as provided in § 1421.3488 using the following rates:

Crop	Unit	Rate per month	Rate per year
1969 corn, wheat, barley, and soybeans (bushel).....	100	\$1.095	\$13.14
1969 grain sorghum (hundredweight).....	100	1.96	23.52
1969 oats (bushel).....	100	.821	9.855
1968 and 1967 corn, wheat, soybeans 1968, 1967, 1966, and 1965 barley (bushel).....	100	1.004	12.045
1968 and 1967 grain sorghum (hundredweight).....	100	1.797	21.56
1968, 1967, 1966, and 1965 oats (bushel).....	100	.73	8.76

(b) 1969-70 storage period. Storage rates for adjustments under § 1421.3488 for the 1969-70 storage period are:

Crop	Unit	Rate per year
1968 corn, wheat, barley, and soybeans (bushel).....	100	\$13.14
1968 grain sorghum (hundredweight)....	100	23.52
1968 oats (bushel).....	100	9.855
1967 corn, soybeans, and wheat, 1967, 1966, and 1965 barley (bushel).....	100	12.045
1967, 1966, and 1965 oats (bushel).....	100	8.76
1967 grain sorghum (hundredweight)....	100	21.56

(c) 1968-69 storage period. Storage rates for adjustments under § 1421.3488 for the 1968-69 storage period are:

Crop	Unit	Rate per year
1967 corn, wheat, barley, and soybeans (bushel).....	100	\$13.14
1967 grain sorghum (hundredweight)....	100	23.52
1967 oats (bushel).....	100	9.855
1966 and 1965 barley (bushel).....	100	12.045
1966 and 1965 oats (bushel).....	100	8.76

(d) 1967-68 storage period. Storage rates for adjustments under § 1421.3488 for the 1967-68 storage period are:

Crop	Unit	Rate per year
1966 barley (bushel).....	100	\$13.14
1966 oats (bushel).....	100	9.855
1965 barley (bushel).....	100	12.045
1965 oats (bushel).....	100	8.76

(e) 1966-67 storage period. Storage rates for adjustments under § 1421.3488 for the 1966-67 storage period are:

Crop	Unit	Rate per year
1965 barley (bushel).....	100	\$13.14
1965 oats (bushel).....	100	9.855

§ 1421.3536 Additional storage and quality requirements.

The commodity must be merchantable, must not contain substances poisonous to man or animal and must meet the requirements of § 1421.3486.

§ 1421.3537 Authorized storage period.

The 1970-71 reseal storage period shall begin on the date following the 1970 maturity date for the loan on a 1969 crop commodity and on the date following the 1970 anniversary date of the original loan maturity date on 1968 and prior crops and shall end on the anni-

versary of such dates during the 1971 calendar year.

§ 1421.3538 Warehouse receipt requirements.

The following sections of the price support regulations pertaining to warehouse receipt requirements on deliveries of commodities to CCC shall apply subject to the footnote:

1965 crop barley, § 1421.2247 (30 F.R. 7811).
1965 crop oats, § 1421.2645 (30 F.R. 3195).
1967 crop wheat, § 1421.2167 (31 F.R. 9414).
1969, 1968, and 1967 crop corn, § 1421.2367 (31 F.R. 10464).
1969, 1968, and 1967 crop grain sorghum, § 1421.2567 (31 F.R. 8000).
1969, 1968, 1967, and 1966 crop barley, § 1421.2267 (31 F.R. 7964).
1969, 1968, 1967, and 1966 crop oats, § 1421.2656 (31 F.R. 4581).
1969, 1968, and 1967 crop soybeans, § 1421.2956 (31 F.R. 6013).
1969 and 1968 crop wheat, § 1421.2105 (33 F.R. 7069).

§ 1421.3539 Settlement.

(a) **Support rate.** (1) Settlement for commodities delivered to CCC in satisfaction of a reseal loan shall be on the basis of the support rates, premiums and discounts in effect for the program year in which the original loan was made. The following sections, as amended, of the commodity regulations shall apply:

(i) **For corn.** 1967 crop, § 1421.2391 (32 F.R. 13046). 1968 and 1969 crop, § 1421.2381 (33 F.R. 14449, 34 F.R. 16423 and 17385).

(ii) **For wheat.** 1967 crop, § 1421.2185 (32 F.R. 8283). 1968 and 1969 crop, § 1421.2119 (33 F.R. 8329 and 14284 and 34 F.R. 8897, 9701 and 12081).

(iii) **For grain sorghum.** 1967 crop, § 1421.2585 (32 F.R. 9824). 1968 and 1969 crop, § 1421.2579 (33 F.R. 9948 and 19163 and 34 F.R. 12081 and 13078).

(iv) **For barley.** 1965 crop, § 1421.2251 (30 F.R. 10936). 1966 crop, § 1421.2279 (31 F.R. 9842). 1967 crop, § 1421.2284 (32 F.R. 10052). 1968 crop, § 1421.2288 (33 F.R. 8650 and 19163). 1969 crop, § 1421.2279 (34 F.R. 9540 and 9796).

(v) **For oats.** 1965 crop, § 1421.2649 (30 F.R. 3195). 1966 crop, § 1421.2665 (31 F.R. 9337). 1967 crop, § 1421.2670 (32 F.R. 6615). 1968 crop, § 1421.2675 (33 F.R. 6527). 1969 crop, § 1421.2665 (34 F.R. 7698).

(vi) **For soybeans.** 1967 crop, § 1421.2974 (32 F.R. 12046). 1968 and 1969 crop, § 1421.2968 (33 F.R. 12535, 34 F.R. 15448 and 18417).

(2) When a commodity delivered is of a grade and quality for which no discount has been established in the applicable commodity regulations, the discounts established for such grades and qualities shall be based on the market discounts, as established by CCC. Such discounts will be established not later than the time delivery of the commodity to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain such factors and discounts at county ASCS offices.

¹ Official grade and protein certificates not required on deliveries to country warehouses. (See paragraph (c) of § 1421.3539.)

(b) *Shelling requirement for corn.* Corn delivered to CCC in satisfaction of a resale loan must be shelled and the cost of shelling shall be for the account of the producer.

(c) *Special provisions for wheat.* During the 1970-71 storage period, official grade and protein determinations will not be required on wheat delivered to country warehouses in settlement of a loan nor on 1968 or 1969 crop wheat delivered to a country warehouse for the purpose of obtaining an extended warehouse-storage loan. Producers may request and obtain official grade or protein determinations, but the cost of such tests shall not be for the account of CCC.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 21, 1970.

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

[F.R. Doc. 70-6637; Filed, May 27, 1970; 8:51 a.m.]

PART 1427—COTTON

Subpart—1970 Crop Supplement to Cotton Loan Program Regulations

The Cotton Loan Program Regulations issued by Commodity Credit Corporation and containing the regulations of a general nature with respect to loan operations for cotton are supplemented as shown below for the 1970 crop cotton. The material previously appearing in these sections under the 1969 crop supplement to Cotton Loan Program Regulations remains in full force and effect for 1969 crop cotton.

Sec.	Purpose.
1427.1521	Schedule of base loan rates for eligible 1970 crop upland cotton by warehouse location.
1427.1522	Schedule of premiums and discounts for grade and staple length of eligible 1970 crop upland cotton.
1427.1523	Schedule of premiums and discounts for micronaire readings on 1970 crop upland cotton.
1427.1524	Schedule of loan rates for eligible qualities of 1970 crop extra long staple cotton by warehouse location.

AUTHORITY: The provisions of this subpart issued under secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 103, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1421, 1441, 1444.

§ 1427.1521 Purpose.

This subpart is for the purpose of announcing that loans will be available on upland and extra long staple cotton of the 1970 crop under the terms and conditions stated in the Cotton Loan Program Regulations issued by Commodity

Credit Corporation and contained in this Part 1427. This subpart also contains schedules to be used in determining loan rates on 1970 crop cotton.

§ 1427.1522 Schedule of bale loan rates for eligible 1970 crop upland cotton by warehouse location.

ALABAMA		
City	County	Basic mid-dling white inch loan rate
Akron	Hale	20.60
Albertville	Marshall	20.60
Alceville	Pickens	20.60
Andalusia	Covington	20.60
Anniston	Calhoun	20.70
Arab	Marshall	20.60
Athens	Limestone	20.60
Atmore	Escambia	20.60
Attalla	Etowah	20.70
Belle Mina	Limestone	20.60
Berry	Fayette	20.60
Birmingham	Jefferson	20.60
Blountsville	Blount	20.60
Boaz	Marshall	20.60
Boligee	Greene	20.60
Brantley	Crenshaw	20.60
Brent	Bibb	20.60
Brewton	Escambia	20.60
Camden	Wilcox	20.60
Centre	Bibb	20.60
Centre	Cherokee	20.70
Clayton	Barbour	20.60
Collinsville	De Kalb	20.60
Columbia	Houston	20.60
Cordova	Walker	20.60
Cullman	Cullman	20.60
Decatur	Morgan	20.60
Demopolis	Marengo	20.60
Dutton	Jackson	20.60
Eclectic	Elmore	20.60
Elkmont	Limestone	20.60
Ethelsville	Pickens	20.60
Eufaula	Barbour	20.60
Eutaw	Greene	20.60
Evergreen	Conecuh	20.60
Fayette	Fayette	20.60
Fort Deposit	Lowndes	20.60
Fort Payne	De Kalb	20.60
Frisco City	Monroe	20.60
Gadsden	Etowah	20.70
Georgiana	Butler	20.60
Geraldine	De Kalb	20.60
Goodway	Monroe	20.60
Greenbrier	Limestone	20.60
Greensboro	Hale	20.60
Greenville	Butler	20.60
Haleyville	Winston	20.60
Hamilton	Marion	20.60
Hartford	Geneva	20.60
Hartselle	Morgan	20.60
Havana Junction	Hale	20.60
Headland	Henry	20.60
Huntsville	Madison	20.60
Huntsboro	Russell	20.70
Jasper	Walker	20.60
Kennedy	Lamar	20.60
Lafayette	Chambers	20.70
Larkinsville	Jackson	20.60
Livingston	Sumter	20.60
Louisville	Barbour	20.60
Laverne	Crenshaw	20.60
McCullough	Escambia	20.60
Madison	Madison	20.60
Maplesville	Chilton	20.60
Marion	Perry	20.60
Millport	Lamar	20.60
Mobile	Mobile	20.60
Monroeville	Monroe	20.60
Montgomery	Montgomery	20.60
Moundville	Hale	20.60
Newbern	Hale	20.60
New Hope	Madison	20.60
Newville	Henry	20.60
Northport	Tuscaloosa	20.60
Oneonta	Blount	20.60
Opelika	Lee	20.70
Opp	Covington	20.60
Panola	Sumter	20.60
Pisgah	Jackson	20.60
Red Bay	Franklin	20.60
Reform	Pickens	20.60
Rogersville	Lauderdale	20.60
Russellville	Franklin	20.60
Samantha	Tuscaloosa	20.60
Samson	Geneva	20.60
Scottsboro	Jackson	20.60
Section	Jackson	20.60
Selma	Dallas	20.60

ALABAMA—Continued

City	County	Basic mid-dling white inch loan rate
Sheffield	Colbert	20.50
Slocomb	Geneva	20.60
Stevenson	Jackson	20.60
Sulligent	Lamar	20.60
Sweet Water	Marengo	20.60
Sylacauga	Talladega	20.70
Talladega	Talladega	20.70
Tallassee	Elmore	20.60
Troy	Pike	20.60
Tuscumbia	Colbert	20.60
Tuskegee	Macon	20.60
Union Springs	Bullock	20.60
Uniontown	Perry	20.60
Vernon	Lamar	20.60
Wetumpka	Elmore	20.60

ARIZONA

Eloy	Pinal	19.60
Phoenix	Maricopa	19.60
Picacho	Pinal	19.60
Safford	Graham	19.85
Yuma	Yuma	19.60

ARKANSAS

Arkadelphia	Clark	20.45
Batesville	Independence	20.45
Blytheville	Mississippi	20.45
Bradley	Lafayette	20.35
Brinkley	Monroe	20.45
Camden	Ouachita	20.35
Clarendon	Monroe	20.45
Cotton Plant	Woodruff	20.45
Dardanelle	Yell	20.45
Dell	Mississippi	20.45
Dumas	Desha	20.45
Earle	Crittenden	20.45
England	Lonoke	20.45
Eudora	Chicot	20.45
Evadale	Mississippi	20.45
Forrest City	St. Francis	20.45
Fort Smith	Sebastian	20.35
Helena	Phillips	20.45
Hope	Hempstead	20.35
Hughes	St. Francis	20.45
Jonesboro	Craighead	20.45
Leachville	Mississippi	20.45
Lepanto	Poinsett	20.45
Lonoke	Lonoke	20.45
McCrory	Woodruff	20.45
McGehee	Desha	20.45
Marianna	Lee	20.45
Marked Tree	Poinsett	20.45
Marvell	Phillips	20.45
Newport	Jackson	20.45
North Little Rock	Pulaski	20.45
Osceola	Mississippi	20.45
Pine Bluff	Jefferson	20.45
Portland	Ashley	20.45
Searcy	White	20.45
Sparkman	Dallas	20.35
Trumann	Poinsett	20.45
Waldo	Columbia	20.35
Walnut Ridge	Lawrence	20.45
West Memphis	Crittenden	20.45
Wynne	Cross	20.45

CALIFORNIA

Bakersfield	Kern	19.60
Brawley	Imperial	19.60
Calico	Kern	19.60
El Centro	Imperial	19.60
Fresno	Fresno	19.60
Imperial	Imperial	19.60
Kerman	Fresno	19.60
Los Angeles	Los Angeles	19.60
Pinedale	Fresno	19.60
Tulare	Tulare	19.60

FLORIDA

Jay	Santa Rosa	20.50
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GEORGIA

City	County	Basis mid-dling white inch loan rate
Adairsville	Bartow	20.70
Alamo	Wheeler	20.60
Albany	Dougherty	20.60
Albentown	Wilkinson	20.70
Ambrose	Coffee	20.60
Americus	Sumter	20.60
Arabi	Crisp	20.60
Arlington	Calhoun	20.50
Ashburn	Turner	20.60
Athens	Clarke	20.80
Atlanta	Fulton	20.70
Augusta	Richmond	20.80
Bartow	Jefferson	20.70
Baxley	Appling	20.60
Blakely	Early	20.50
Bronwood	Terrell	20.60
Brooklet	Bulloch	20.70
Buena Vista	Marion	20.70
Butler	Taylor	20.70
Byronville	Dooly	20.60
Cadwell	Laurens	20.70
Canilla	Mitchell	20.50
Carrollton	Carroll	20.70
Cedartown	Polk	20.70
Chancey	Dodge	20.70
Chester	Dodge	20.70
Claxton	Evans	20.60
Cochran	Bleckley	20.70
Colquitt	Miller	20.50
Columbus	Muscogee	20.70
Comer	Madison	20.80
Concord	Pike	20.70
Conyers	Rockdale	20.70
Cordele	Crisp	20.60
Coverdale	Turner	20.60
Covington	Newton	20.70
Cuthbert	Randolph	20.50
Davisboro	Washington	20.70
Dawson	Terrell	20.60
DeSoto	Sumter	20.60
Dexter	Laurens	20.60
Doornun	Colquitt	20.50
Donalsonville	Seminole	20.50
Douglas	Coffee	20.60
Dublin	Laurens	20.70
Dudley	Laurens	20.70
Eastman	Dodge	20.70
East Point	Fulton	20.70
Edison	Calhoun	20.50
Eiko	Houston	20.70
Ellaville	Schley	20.70
Fitzgerald	Ben Hill	20.60
Fort Gaines	Clay	20.50
Funston	Colquitt	20.50
Gay	Meriwether	20.70
Glennville	Tattnall	20.60
Greenville	Meriwether	20.70
Griffin	Spalding	20.70
Haralson	Coweta	20.70
Hawkinsville	Pulaski	20.70
Hazlehurst	Jeff Davis	20.60
Hollonville	Pike	20.70
Ideal	Macon	20.70
Jeffersonville	Twiggs	20.70
Jesup	Wayne	20.60
Kingston	Bartow	20.70
La Grange	Troup	20.70
Lenox	Cook	20.50
Leslie	Sumter	20.60
Loganville	Walton	20.70
Louisville	Jefferson	20.70
Lumpkin	Stewart	20.60
Luthersville	Meriwether	20.70
Lyerly	Chattooga	20.70
Lyons	Toombs	20.60
McDonough	Henry	20.70
Madison	Morgan	20.70
Mansfield	Newton	20.70
Marshallville	Macon	20.70
Meigs	Thomas	20.50
Metter	Candler	20.70
Midville	Burke	20.70
Millen	Jenkins	20.70
Monroe	Walton	20.70
Monteruma	Macon	20.70
Morven	Brooks	20.50
Moultrie	Colquitt	20.50
Norman Park	Colquitt	20.50
Ocella	Irwin	20.60
Oglethorpe	Macon	20.70
Omega	Tift	20.60
Parrott	Terrell	20.60
Pelham	Mitchell	20.50
Pinehurst	Dooly	20.60
Pinehog	Bartow	20.70
Pineview	Wilcox	20.60
Pine Mountain	Harris	20.70
Pitts	Wilcox	20.60
Plains	Sumter	20.60
Portal	Bulloch	20.70

GEORGIA—Continued

City	County	Basis mid-dling white inch loan rate
Quitman	Brooks	20.50
Rebecca	Turner	20.60
Rents	Laurens	20.70
Reynolds	Taylor	20.70
Rochelle	Wilcox	20.60
Rome	Floyd	20.70
Rutledge	Morgan	20.70
Sandersville	Washington	20.70
Sasser	Terrell	20.60
Savannah	Chatham	20.70
Senola	Coweta	20.70
Shellman	Randolph	20.50
Social Circle	Walton	20.70
Soperton	Treuten	20.70
Sparta	Hancock	20.70
Statesboro	Bulloch	20.70
Swainsboro	Emanuel	20.70
Sycamore	Turner	20.60
Sylvania	Taylor	20.70
Sylvester	Worth	20.60
Tennille	Washington	20.70
Tifton	Tift	20.60
Trion	Chattooga	20.70
Twin City	Emanuel	20.70
Unadilla	Dooly	20.60
Uvalda	Montgomery	20.60
Valdosta	Lowndes	20.50
Vidalia	Toombs	20.60
Vienna	Dooly	20.60
Villa Rica	Carroll	20.70
Wadley	Jefferson	20.70
Warrenton	Warren	20.80
Warwick	Worth	20.60
Washington	Wilkes	20.80
Watkinsville	Oconee	20.80
Waynesboro	Burke	20.70
Winder	Barrow	20.80
Wrens	Jefferson	20.70
Wrightsville	Johnson	20.70
Yatesville	Upson	20.70
Zebulon	Pike	20.70

LOUISIANA

City	Parish	Basis mid-dling white inch loan rate
Alexandria	Rapides	20.35
Bernee	Union	20.35
Cheneyville	Rapides	20.35
Coushatta	Red River	20.35
Delhi	Richland	20.45
Ferriday	Concordia	20.45
Franklinton	Washington	20.45
Haynesville	Calbarne	20.35
Homer	Calbarne	20.35
Lake Providence	East Carroll	20.45
Mansfield	De Soto	20.35
Monroe	Ouachita	20.45
Natchitoches	Natchitoches	20.35
Newellton	Tensas	20.45
New Orleans	Orleans	20.45
Oak Grove	West Carroll	20.45
Opelousas	St. Landry	20.35
Plain Dealing	Boesler	20.35
Rayville	Richland	20.45
Shreveport	Caddo	20.35
Tallulah	Madison	20.45
Winnboro	Franklin	20.45

MISSISSIPPI

City	County	Basis mid-dling white inch loan rate
Aberdeen	Monroe	20.50
Amory	Monroe	20.50
Batesville	Panola	20.50
Belzoni	Humphreys	20.45
Booneville	Prentiss	20.50
Brookhaven	Lincoln	20.45
Canton	Madison	20.50
Carthage	Leake	20.50
Clarksdale	Coahoma	20.45

MISSISSIPPI—Continued

City	County	Basis mid-dling white inch loan rate
Cleveland	Bollivar	20.45
Columbia	Marion	20.45
Columbus	Lowndes	20.50
Como	Panola	20.50
Corinth	Alcorn	20.50
Drew	Sunflower	20.45
Flora	Madison	20.45
Greenville	Washington	20.45
Greenwood	Leflore	20.45
Grenada	Grenada	20.50
Gulfport	Harrison	20.45
Hattiesburg	Forrest	20.45
Hollandale	Washington	20.45
Holly Springs	Marshall	20.50
Houston	Chickasaw	20.50
Indianola	Sunflower	20.45
Inverness	Sunflower	20.45
Ita Bena	Leflore	20.45
Jackson	Hinds	20.45
Kosciusko	Attala	20.50
Laurel	Jones	20.45
Leland	Washington	20.45
Macon	Noxbee	20.50
Magee	Simpson	20.45
Magnolia	Dooly	20.45
Marks	Quitman	20.45
New Albany	Union	20.50
Okolona	Chickasaw	20.50
Oxford	Lafayette	20.50
Philadelphia	Neshoba	20.50
Pontotoc	Pontotoc	20.50
Prentiss	Jefferson Davis	20.45
Quitman	Clarke	20.45
Ripley	Tippah	20.50
Rolling Fork	Sharkey	20.45
Rosedale	Bollivar	20.45
Ruleville	Sunflower	20.45
Shaw	Bollivar	20.45
Shelby	Bollivar	20.45
Shuqualak	Noxbee	20.50
Sledge	Quitman	20.45
Summit	Pike	20.45
Tunica	Tunica	20.45
Tupelo	Lee	20.50
Tutwiler	Tallahatchie	20.45
Tylertown	Walthall	20.45
Union	Newton	20.50
Vicksburg	Warren	20.45
West Point	Clay	20.50
Yazoo City	Yazoo	20.45

MISSOURI

Arbyrd	Dunklin	20.45
Caruthersville	Pemiscot	20.45
Charleston	Mississippi	20.45
Gideon	New Madrid	20.45
Hayti	Pemiscot	20.45
Kennett	Dunklin	20.45
Lilbourn	New Madrid	20.45
Malden	Dunklin	20.45
Portageville	New Madrid	20.45
Sikeston	Scott	20.45

NEW MEXICO

Artesia	Eddy	20.10
Carlsbad	Eddy	20.10
Deming	Luna	20.05
Las Cruces	Dona Ana	20.10
Lovington	Lea	20.20
Roswell	Chaves	20.10

NORTH CAROLINA

Battleboro	Nash	20.90
Bladenboro	Bladen	20.90
Butner	Granville	21.00
Candor	Montgomery	21.00
Charlotte	Mecklenburg	21.00
Cherryville	Gaston	20.90
Clinton	Sampson	20.90
Conway	Northampton	20.90
Dunn	Harnett	20.90
Edenton	Chowan	20.90
Enfield	Halifax	20.90
Fayetteville	Cumberland	20.90
Franklinton	Franklin	21.00
Gastonia	Gaston	20.90
Gibson	Scotland	20.90
Goldsboro	Wayne	20.90
Henderson	Vance	20.90
Jackson	Northampton	21.00
Kings Mountain	Cleveland	21.00
Laurel Hill	Scotland	20.90

RULES AND REGULATIONS

NORTH CAROLINA—Continued

SOUTH CAROLINA—Continued

TEXAS—Continued

City	County	Basic mid-dling white inch loan rate
Lancaster	Scotland	20.90
Lewisville	Bertie	20.90
Lilington	Lenoir	21.00
Littleton	Hallfax	20.90
Lomburg	Franklin	20.90
Lumberton	Robeson	20.90
Maxton	Union	21.00
Moore	Iredell	21.00
Mooreville	Anson	21.00
Mount Olive	Wayne	20.90
Marlboro	Hertford	20.90
Nashville	Nash	20.90
Newton	Catawba	21.00
Parkton	Robeson	20.90
Pembroke	Robeson	20.90
Pilot Mountain	Edgecombe	20.90
Roseboro	Hoke	20.90
Raleigh	Wake	20.90
Rich Square	Northampton	20.90
Roseboro	Halifax	20.90
Roseboro	Robeson	20.90
St. James	Robeson	20.90
Salisbury	Rowan	21.00
Sanford	Lee	21.00
Scotland Neck	Halifax	20.90
Seaboard	Northampton	20.90
Selma	Johnston	20.90
Socastone	Northampton	20.90
Shelby	Cleveland	21.00
Southfield	Johnston	20.90
Statesville	Iredell	21.00
Tarboro	Edgecombe	20.90
Wagram	Scotland	20.90
Wake Forest	Wake	20.90
Washington	Beaufort	20.90
Weldon	Halifax	20.90
Williamston	Marion	20.90
Wilson	Wilson	20.90
Woodland	Northampton	20.90

OKLAHOMA

Altus	Jackson	20.25
Amalarko	Caddo	20.25
Chickasha	Grady	20.25
Elk City	Breckham	20.25
Federick	Tillman	20.25
Holart	Kiowa	20.25
Idabel	McClain	20.25
Manassa	Greer	20.25
Mountain View	Kiowa	20.25
Okmulgee City	Okmulgee	20.25
Wynne Wood	Garvin	20.25

SOUTH CAROLINA

Allendale	Allendale	20.90
Anderson	Anderson	21.00
Bamberg	Hamburg	20.90
Barrow	Barrow	20.90
Bennettsville	Marlboro	20.90
Blacksburg	Lee	20.90
Blackville	Marion	20.90
Branchville	Orangeburg	20.90
Brusard	Hampton	20.90
Calhoun Falls	Abbeville	21.00
Cameron	Calhoun	20.90
Charleston	Charleston	20.90
Cheraw	Chesterfield	21.00
Chester	Chester	21.00
Chesterfield	Chesterfield	21.00
Chick	Marlboro	20.90
Coker	York	21.00
Columbia	Richland	21.00
Dahl	Sumter	20.90
Darlington	Darlington	20.90
Doumar	Hamburg	20.90
Dillon	Dillon	20.90
Edgefield	Edgefield	21.00
Elbert	Orangeburg	20.90
East	Hampton	20.90
Florence	Florence	20.90
Forestburg	Greenville	21.00
Gaffney	Cherokee	21.00
Garnett	Hampton	20.90
Greenville	Williamsburg	20.90
Greenville	Greenville	21.00
Greenwood	Greenwood	21.00
Hartsville	Darlington	20.90

City	County	Basic mid-dling white inch loan rate
Heath Springs	Lancaster	21.00
Holly Hill	Orangeburg	20.90
Jefferson	Chesterfield	21.00
Kershaw	Kershaw	21.00
Kingstree	Williamsburg	20.90
Lake City	Florence	20.90
Lake View	Dillon	20.90
Lamar	Darlington	20.90
Latta	Dillon	20.90
Laurens	Laurens	21.00
Lynchburg	Lee	20.90
McClellan	Marlboro	20.90
Manning	Clarendon	20.90
Marion	Marion	20.90
Mayesville	Sumter	20.90
Mountville	Laurens	21.00
Mullins	Marion	20.90
Newberry	Newberry	21.00
North	Orangeburg	20.90
Norway	Orangeburg	20.90
Olanta	Florence	20.90
Orangeburg	Orangeburg	20.90
Pamplico	Florence	20.90
Piedmont	Anderson	21.00
Phenwood	Sumter	20.90
Prosperity	Newberry	21.00
Ridge Spring	Saluda	21.00
Ridgeway	Fairfield	21.00
Rock Hill	York	21.00
Saluda	Saluda	21.00
Spartanburg	Spartanburg	21.00
St. Matthews	Calhoun	20.90
Summerton	Clarendon	20.90
Sumter	Sumter	20.90
Swains	Lexington	21.00
Timonessville	Florence	20.90
Turbeville	Clarendon	20.90
Union	Union	21.00
Wagner	Aiken	21.00
Wellford	Spartanburg	21.00
Williston	Burwell	20.90
York	York	21.00

TENNESSEE

Brownsville	Haywood	20.50
Chattanooga	Hamilton	20.60
Covington	Tipton	20.50
Decherd	Franklin	20.50
Dyersburg	Dyer	20.50
Five Points	Lawrence	20.50
Henderson	Chester	20.50
Jackson	Madison	20.50
Lawrenceburg	Lawrence	20.50
Memphis	Shelby	20.50
Milan	Gibson	20.50
Ripley	Lauderdale	20.50
Tiptonville	Lake	20.50

TEXAS

Abernathy	Hale	20.20
Ableton	Taylor	20.25
Balling	Runnels	20.25
Bay City	Matagorda	20.25
Big Spring	Howard	20.20
Bovina	Parmer	20.20
Brady	McCulloch	20.25
Brenham	Washington	20.25
Brownfield	Terry	20.20
Brownsville	Cameron	20.20
Brownwood	Brewer	20.25
Bryan	Brazos	20.25
Burton	Washington	20.25
Cameron	Milam	20.25
Chabon Station	Jefferson	20.35
Childress	Childress	20.25
Clarksville	Red River	20.30
Cleburne	Johnson	20.25
Colorado City	Mitchell	20.25
Commer	Hunt	20.35
Cooper	Delta	20.35
Corpus Christi	Nueces	20.25
Corsicana	Navarro	20.25
Crockett	Houston	20.25
Crosbyton	Crosby	20.20
Dallas	Dallas	20.25
Dharmitt	Castro	20.20
Elgin	Bastrop	20.25
Enloe	Delta	20.35

City	County	Basic mid-dling white inch loan rate
Ennis	Ellis	20.25
Fabens	El Paso	20.10
Farma	Harris	20.35
Floydada	Floyd	20.25
Forney	Kaufman	20.35
Fort Stockton	Pecos	20.20
Gainesville	Cooke	20.35
Galveston	Galveston	20.35
Garland	Dallas	20.35
Greenville	Hunt	20.35
Hamlin	Jones	20.25
Harlingen	Cameron	20.20
Hart	Castro	20.20
Haskell	Haskell	20.25
Hearne	Robertson	20.25
Hillsboro	Hill	20.25
Honey Grove	Fannin	20.35
Houston	Harris	20.35
Hubbard	Hill	20.25
Kaufman	Kaufman	20.35
Kenedy	Karnes	20.25
Knox City	Knox	20.25
La Grange	Fayette	20.25
Lamesa	Dawson	20.20
Leveland	Hockley	20.20
Littlefield	Lamb	20.20
Lockhart	Caldwell	20.25
Lockney	Floyd	20.20
Lorena	Mitchell	20.25
Lorezo	Crosby	20.20
Lubbock	Lubbock	20.20
McKinney	Collin	20.35
Marlin	Falls	20.25
Mart	McLennan	20.25
Memphis	Hall	20.25
Mexia	Limestone	20.25
Morton	Cochar	20.20
Muleshoe	Bailey	20.20
Munday	Knox	20.25
Nacogdoches	Nacogdoches	20.35
Navasota	Grimes	20.25
Needville	Fort Bend	20.35
O'Donnell	Lynn	20.20
Padneah	Cottle	20.25
Paris	Lamar	20.35
Pecos	Reeves	20.20
Plainview	Hale	20.20
Pyote	Ward	20.20
Quinn	Hartman	20.25
Quitman	Briscoe	20.20
Ralls	Crosby	20.20
Raymondville	Wilbrey	20.20
Ronling Springs	Motley	20.25
Rochester	Haskell	20.25
Rosebud	Falls	20.25
Rosenberg	Fort Bend	20.35
Rotan	Fisher	20.25
Rule	Haskell	20.25
San Angelo	Tom Green	20.25
Schulenburg	Fayette	20.25
Seagraves	Gaines	20.20
Seymour	Baylor	20.25
Shamrock	Wheeler	20.25
Slaton	Lubbock	20.20
Snyder	Scurry	20.25
Spur	Dickens	20.25
Stamford	Jones	20.25
Stanton	Martin	20.20
Suwan	Lamb	20.20
Sweetwater	Nolan	20.25
Taft	San Patricio	20.25
Tahoka	Lynn	20.20
Tarzan	Martin	20.20
Taylor	Williamson	20.25
Temple	Bell	20.25
Terrell	Kaufman	20.35
Texarkana	Bowie	20.35
Tulla	Swisher	20.20
Turkey	Hall	20.20
Vernon	Wilbarger	20.25
Waco	McLennan	20.25
Waxahachie	Ellis	20.25
Wellington	Collingsworth	20.25
Weslaco	Hidalgo	20.20
Whiteface	Cochar	20.20
Wichita Falls	Wichita	20.25
Wills Point	Van Zandt	20.35
Winters	Runnels	20.25

VIRGINIA

Broadway	Brunswick	20.90
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RULES AND REGULATIONS

§ 1427.1523 Schedule of premiums and discounts for grade and staple length of eligible 1970 crop upland cotton.

(Points per pound—Basis 1-inch middling)

Grade	Codes ¹	Staple length (inches)													
		3/16	7/16	1/2	5/8	3/4	1	1 1/8	1 1/4	1 1/2	1 3/4	1 7/8	2	2 1/8	2 1/4
		(26)	(28)	(29)	(30)	(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)	(39)	1/4 longer (40 and up)
WHITE															
GM and better.....	(11 and (01)	Pts. -330	Pts. -295	Pts. -245	Pts. -170	Pts. -80	Pts. +50	Pts. +210	Pts. +365	Pts. +420	Pts. +470	Pts. +530	Pts. +620	Pts. +800	Pts. +930
SM.....	(21)	-340	-300	-255	-180	-90	+45	+205	+360	+410	+460	+515	+605	+785	+935
MID plus.....	(30)	-360	-320	-275	-200	-110	+25	+180	+335	+385	+435	+485	+565	+745	+900
MID.....	(31)	-375	-340	-290	-220	-125	Base	+155	+315	+365	+410	+460	+530	+695	+820
SLM plus.....	(40)	-450	-415	-370	-295	-235	-115	+30	+205	+250	+285	+320	+400	+535	+660
SLM.....	(41)	-490	-455	-405	-340	-275	-170	-35	+130	+180	+225	+255	+320	+455	+570
LM plus.....	(50)	-560	-530	-490	-425	-355	-270	-175	-70	-40	-15	-5	+20	+45	+65
LM.....	(51)	-595	-565	-525	-465	-400	-320	-240	-135	-70	-105	-80	-70	-55	-30
SGO plus.....	(60)	-685	-665	-630	-575	-525	-445	-400	-360	-345	-340	-340	-340	-340	-340
SGO.....	(61)	-735	-710	-675	-625	-570	-500	-465	-425	-415	-410	-410	-410	-410	-410
GO plus.....	(70)	-810	-790	-760	-715	-670	-610	-575	-550	-540	-535	-535	-535	-535	-535
GO.....	(71)	-855	-835	-805	-760	-720	-665	-630	-605	-600	-595	-595	-595	-595	-595
LIGHT SPOTTED															
GM.....	(12)	-385	-345	-295	-240	-170	-75	+75	+200	+245	+275	+315	+390	+560	+720
SM.....	(22)	-395	-355	-305	-245	-180	-85	+65	+185	+230	+265	+300	+370	+540	+700
MID.....	(32)	-450	-415	-375	-315	-255	-160	-30	+100	+140	+175	+220	+285	+400	+500
SLM.....	(42)	-560	-525	-480	-425	-370	-295	-205	-125	-100	-75	-65	-45	-35	-5
LM.....	(52)	-690	-655	-615	-565	-520	-470	-420	-370	-365	-360	-360	-360	-360	-360
SPOTTED															
GM.....	(13)	-530	-495	-455	-400	-345	-275	-200	-155	-135	-110	-100	-90	-65	-40
SM.....	(23)	-540	-500	-465	-410	-355	-290	-215	-170	-150	-125	-115	-105	-85	-65
MID.....	(33)	-585	-550	-510	-455	-410	-355	-295	-260	-255	-245	-240	-240	-240	-235
SLM.....	(43)	-690	-650	-610	-560	-520	-475	-430	-405	-395	-395	-395	-395	-395	-395
LM.....	(53)	-810	-770	-735	-685	-660	-605	-575	-555	-530	-545	-545	-545	-545	-545
TINGED															
GM.....	(14)	-680	-635	-605	-570	-545	-520	-505	-495	-490	-490	-490	-490	-490	-490
SM.....	(24)	-690	-650	-615	-580	-560	-535	-515	-505	-505	-505	-505	-505	-505	-505
MID.....	(34)	-745	-705	-675	-640	-610	-590	-570	-565	-565	-565	-565	-565	-565	-565
SLM.....	(44)	-845	-805	-770	-730	-705	-685	-665	-655	-655	-655	-655	-655	-655	-655
LM.....	(54)	-960	-925	-890	-855	-835	-810	-795	-785	-785	-785	-785	-785	-785	-785
YELLOW STAINED															
GM.....	(15)	-845	-800	-775	-745	-725	-700	-690	-680	-680	-680	-680	-680	-680	-680
SM.....	(25)	-855	-810	-790	-755	-735	-715	-700	-690	-690	-690	-690	-690	-690	-690
MID.....	(35)	-910	-870	-845	-810	-785	-765	-755	-745	-745	-745	-745	-745	-745	-745
LIGHT GRAY															
GM.....	(16)	-415	-380	-340	-275	-195	-85	+40	+160	+210	+245	+290	+345	+490	+620
SM.....	(26)	-455	-425	-385	-325	-250	-165	-50	+70	+115	+165	+205	+255	+380	+505
MID.....	(36)	-560	-530	-495	-440	-375	-300	-225	-135	-115	-95	-80	-60	-35	-10
SLM.....	(46)	-705	-680	-645	-600	-545	-490	-430	-390	-375	-365	-365	-365	-365	-365
GRAY															
GM.....	(17)	-515	-480	-440	-385	-320	-240	-140	-60	-30	+5	+45	+95	+165	+235
SM.....	(27)	-575	-545	-505	-455	-390	-315	-240	-175	-155	-135	-120	-100	-85	-60
MID.....	(37)	-720	-695	-660	-610	-560	-505	-440	-405	-390	-385	-385	-385	-385	-385
SLM.....	(47)	-835	-815	-785	-735	-700	-655	-615	-580	-575	-570	-570	-570	-570	-570

Grade Symbols: GM—Good Middling; SM—Strict Middling; MID—Middling; SLM—Strict Low Middling; LM—Low Middling; SGO—Strict Good Ordinary; GO—Good Ordinary.

¹ Grade and staple codes. Staple below 1 1/8 is coded 24 and is not eligible for loan. Any grade code starting with an 8 is "below grade" and is not eligible for loan.

§ 1427.1524 Schedule of premiums and discounts for micronaire readings on 1970 crop upland cotton.

Micronaire reading	Points per pound
5.3 and above	Discount of 130.
5.0 through 5.2	Discount of 30.
3.5 through 4.9	Premium of 45.
3.3 through 3.4	Discount of 40.
3.0 through 3.2	Discount of 135.
2.7 through 2.9	Discount of 250.
2.6 and less	Discount of 390.

§ 1427.1525 Schedule of loan rates for eligible qualities for 1970 crop extra long staple cotton by warehouse location.

(In cents per pound, net weight)

Code grade	Staple length (inches)					
	1 $\frac{3}{4}$		1 $\frac{5}{8}$		1 $\frac{1}{2}$ and longer	
	(44)		(46)		(45)	
	Cotton stored in approved warehouses in—		Cotton stored in approved warehouses in—		Cotton stored in approved warehouses in—	
	Arizona and California	New Mexico, Texas, and other States	Arizona and California	New Mexico, Texas, and other States	Arizona and California	New Mexico, Texas, and other States
1	41.65	42.05	42.15	42.55	42.35	42.75
2	41.45	41.85	41.95	42.35	42.15	42.55
3	41.00	41.40	41.55	41.95	41.75	42.15
4	40.10	40.50	40.55	40.95	40.75	41.15
5	37.40	37.80	37.80	38.20	37.95	38.35
6	32.80	33.20	33.10	33.50	33.20	33.60
7	29.65	30.05	29.80	30.20	29.90	30.30
8	27.05	27.45	27.20	27.60	27.30	27.70
9	24.85	25.25	25.00	25.40	25.10	25.50

Effective date. This subpart shall become effective upon filing with the FEDERAL REGISTER for publication.

Signed at Washington, D.C., on May 19, 1970.

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

[F.R. Doc. 70-6458; Filed, May 27, 1970; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9 Code of Federal Regulations restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, in paragraph (e) (5) relating to the State of Indiana, subdivision (iii) relating to Knox County and subdivision (iv) relating to Rush County are deleted.

2. In § 76.2 in paragraph (e) (16) relating to the State of Virginia, a new subdivision (xviii) relating to Greensville County is added to read:

(16) Virginia. * * * (xviii) That portion of Greensville County bounded by a line beginning at the junction of Secondary Highways 660 and 730; thence, following Secondary Highway 730 in a southeasterly direction to Secondary Highway 624; thence, following Secondary Highway 624 in a southerly direction to the Virginia-North Carolina State line; thence, following the Virginia-North Carolina State line in a westerly direction to U.S. Highway 301; thence, following U.S. Highway 301 in a northwesterly direction to Secondary Highway 628; thence, following Secondary Highway 628 in a northerly direction to Secondary Highway 625; thence, following Secondary Highway 625 in a southeasterly direction to Secondary Highway 656; thence, following Secondary Highway 656 in a northeasterly direction to Secondary Highway 660; thence, following Secondary Highway 660 in a generally northeasterly direction to its junction with Secondary Highway 730.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Greensville County, Virginia, because

of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to such County.

The amendments also exclude portions of Knox and Rush Counties in Indiana from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement from nonquarantined areas contained in said Part 76, will apply to the areas excluded from quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 25th day of May 1970.

GEORGE W. IRVING, JR.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-6636; Filed, May 27, 1970; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 70-SW-18; Amdt. 39-995]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 47B, 47B-3, 47D, 47D-1, 47G, 47G-2, and 47H-1 Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring a one-time inspection of the drag link equalizer horn, P/N 47-120-167-1, for proper hardness on Bell Model 47B, 47B-3, 47D, 47D-1, 47G, 47G-2, and 47H-1 helicopters was published in 35 F.R. 5709.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No comments were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BELL. Applies to Bell Model 47B, 47B-3, 47D, 47D-1, 47G, 47G-2, 47H-1 helicopters, and to any other helicopters, equipped with wood main rotor blades and drag link equalizer horn, P/N 47-120-167-1. Compliance required within 50 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent possible failure of the drag link equalizer horn due to improper casting material, accomplish the one-time inspection for hardness as specified in Part I and Part II of Bell Helicopter Company Service Bulletin No. 144 SB dated October 9, 1969. Before further flight remove and replace horns having hardness values below those specified in Part II of Bell Helicopter Company Service Bulletin No. 144 SB.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the Service Manager, Bell Helicopter Company, P.O. Box 482, Fort Worth, Tex. 76101.

These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, Tex., and at PAA Headquarters, 800 Independence Avenue S.W., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Southwest Region Office in Fort Worth, Tex.

This amendment becomes effective June 26, 1970.

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

Issued in Fort Worth, Tex., on May 19, 1970.

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

The incorporation by reference provisions in this document were approved by the Director of the Federal Register on June 19, 1967.

[F.R. Doc. 70-6589; Filed, May 27, 1970; 8:47 a.m.]

[Docket No. 8617; Amdt. 39-998]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corporation Model BAC 1-11 200 and 400 Series Airplanes

Amendment 39-538 (33 F.R. 10), AD 68-1-1, as amended by Amendment 39-554, 33 F.R. 2934, requires, among other things, removal of the APU non-return valve, P/N 525180, and replacement with a modified part. After issuing Amend-

ment 39-538, the FAA has been advised that the part number P/N 13981300 given in the amendment for the replacement non-return valve is in error and that an APU non-return valve with that part number has never existed. The correct part number for the replacement non-return valve is 1398B000. Therefore, the AD is being further amended to insert the correct part number for the APU non-return valve.

Since this is a clarifying amendment and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-538 (33 F.R. 10), AD 68-1-1, as amended by Amendment 39-554 (33 F.R. 2934), is further amended by striking out the number "13981300" in paragraphs (a)(1) and (b)(1), and inserting the number "1398B000", in place thereof.

This amendment becomes effective June 2, 1970.

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

Issued in Washington, D.C., on May 21, 1970.

WILLIAM G. SHREVE, JR.,
Acting Director,
Flight Standards Service.

[F. R. Doc. 70-6590; Filed, May 27, 1970; 8:47 a.m.]

[Airspace Docket No. 70-EA-31]

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

Designation of Control Zone and Alteration of Transition Area

The Federal Aviation Administration is amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Norwood, Mass., control zone and alter the Boston, Mass., transition area (35 F.R. 2151).

The Federal Aviation Administration has commissioned an Air Traffic Control Tower at the Norwood Memorial Airport, Norwood, Mass. This will require designation of a control zone at Norwood, Mass.

In addition, a revision to the NDB (ADF) RWY 35 instrument approach procedure for Norwood Memorial Airport will require alteration of the Boston, Mass., 700 foot transition area (35 F.R. 2151).

This control zone designation and transition area alteration will provide additional controlled airspace protection for aircraft conducting IFR operations at Norwood Memorial Airport.

In view of the fact that the tower has already been commissioned and that the presence of controlled airspace is a requisite to control by an air traffic facil-

ity, it is in the public interest that the control of air traffic be commenced as quickly as possible in the Norwood terminal area. For the reasons stated, it is found that a situation exists requiring expeditious action in the interest of air safety and that notice and public procedure hereon are impractical and that good cause exists for making this rule effective in less than 30 days.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 1, 1970, as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to designate a Norwood, Mass., control zone described as follows:

Norwood, Mass.

Within a 5-mile radius of the center (42°-11'20" N., 71°10'15" W.) of Norwood Memorial Airport, Norwood, Mass.; within 8 miles each side of the 153° bearing and 333° bearing from the Norwood, Mass., RBN (42°-07'10" N., 71°07'51" W.) extending from the 5-mile radius zone to 8 miles southeast of the RBN and within 2 miles each side of the Whitman VORTAC 311° radial extending from the 5-mile radius zone to 2 miles northwest of the VORTAC, excluding the portion within the South Weymouth, Mass., control zone. This control zone is effective daily from 0800 to 2000 hours, local time, or during the specific times established in advance by a Notice to Airmen which thereafter will be continuously published in the Airman's Information Manual.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to insert in the description of the Boston, Mass., 700 foot transition area, following the phrase: "longitude 71°15'00" W. to the point of beginning"; the words: "and within 3.5 miles each side of the 153° bearing from the Norwood, Mass., RBN (42°07'10" N., 71°07'41" W.) extending from the NDB to 10.5 miles southeast of the NDB".

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; Sec. 6(c), DOT Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on May 12, 1970.

GEORGE M. GARY,
Director, Eastern Region.

[F.R. Doc. 70-6591; Filed, May 27, 1970; 8:47 a.m.]

[Airspace Docket No. 70-SW-33]

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

Revocation of Control Area Extension

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Sherman, Tex., control area extension.

The Sherman, Tex., control area extension is totally encompassed by existing transition areas. The airspace of a control area extension within the lateral limits of a transition area has a floor coincident with that of the transition area. In view of the foregoing, the Sherman extension is redundant, serves no useful purpose, and should be revoked. Action

is taken herein to revoke the Sherman, Tex., control area extension designation. Since this amendment does not change the extent of controlled airspace, notice and public procedure hereon are unnecessary and the amendment may be made effective to coincide with the next charting date.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 23, 1970, as hereinafter set forth.

In § 71.165 (35 F.R. 2053), the Sherman, Tex., control area extension is revoked.

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

Issued in Fort Worth, Tex., on May 18, 1970.

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

[F.R. Doc. 70-6592; Filed, May 27, 1970; 8:47 a.m.]

[Airspace Docket No. 70-AL-1]

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

Alteration of Control Zone and Transition Area

On February 28, 1970, a notice of proposed rule making was published in the Federal Register (35 F.R. 3922) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Tanana, Alaska, terminal airspace structure.

Interested persons were afforded an opportunity to participate in the proposed rulemaking through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., July 23, 1970, as hereinafter set forth.

In § 71.171 (35 F.R. 2126) the Tanana, Alaska, control zone is amended to comprise that airspace within a 5-mile radius of the Tanana Airport (latitude 65°10'30" N., longitude 152°06'32" W.) and within 3.5 miles each side of the 251° bearing from the Bear Creek radio beacon, extending from the 5-mile radius zone to 11.5 miles west of the RBN, effective 0545 to 2145 hours, local time, daily or during the specific dates and times established in advance by Notice to Airmen. The effective date and time would thereafter be continuously published in the Flight Information Publication Supplement Alaska.

In § 71.181 (35 F.R. 2273) the Tanana, Alaska, transition area is amended to comprise that airspace extending upward from 700 feet above the surface within 9.5 miles south and 4.5 miles north of the Bear Creek radio beacon 251° bearing extending to 18.5 miles west of the RBN.

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

Issued in Anchorage, Alaska, on May 18, 1970.

WILLIAM P. COMSTOCK,
*Brigadier General (USAF),
Acting Director, Alaskan Region.*

[F.R. Doc. 70-6587; Filed, May 27, 1970; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Subtitle A—Office of the Secretary of Commerce

PART 10—PROCEDURES FOR THE DEVELOPMENT OF VOLUNTARY PRODUCT STANDARDS

By notice published in the FEDERAL REGISTER of December 20, 1968 (33 F.R. 247), the Department of Commerce announced its intention of revising its Procedures for the Development of Voluntary Product Standards. Interested parties were afforded an opportunity to file written comments or suggestions.

Full consideration having been given to all of the comments and suggestions received in response to the notice of proposed rule making, and appropriate modifications in the text of the original proposal having now been effected, Part 10 of Title 15, Code of Federal Regulations, is hereby revised as set forth below.

It should be noted that §§ 10.2(a), 10.5, 10.6, and 10.13 have been modified in this revision, notwithstanding the fact that the notice of proposed rule making specifically stated that these sections (previously identified as §§ 10.2(a), 10.5, 10.5a, and 10.11, respectively) were not subject to further amendment. Since the modification being effected by these sections are essentially editorial in nature, and impose no burden on any party, notice and public procedure thereon are deemed unnecessary.

Effective date. This revision of the procedures shall become effective upon publication in the FEDERAL REGISTER and shall supersede all such procedures previously issued by the Department. The processing of any standard currently under development shall continue from the appropriate point in these new procedures. Any voluntary product standard approved for publication or published by the Department under superseded procedures is unaffected by this revision.

Issued: May 25, 1970.

MYRON TRIBUS,
*Assistant Secretary for
Science and Technology.*

- Sec. 10.0 General.
- 10.1 Initiating development of a new standard.
- 10.2 Development of proposed standard.
- 10.3 Establishment of the Standard Review Committee.
- 10.4 Development of a recommended standard.

- Sec. 10.5 Procedures for acceptance of recommended standard.
- 10.6 Procedure when a recommended standard is not supported by a consensus.
- 10.7 Standing Committee.
- 10.8 Publication of standard.
- 10.9 Review of published standards.
- 10.10 Revision or amendment of a standard.
- 10.11 Editorial changes.
- 10.12 Withdrawal of a published standard.
- 10.13 Effect of procedures.

AUTHORITY: The provisions of this Part 10 issued under sec. 2, 31 Stat. 1449, as amended, sec. 1, 64 Stat. 371; 15 U.S.C. 272. Reorganization Plan No. 3 of 1946, Part VI.

§ 10.0 General.

(a) **Introduction.** (1) The Department of Commerce (hereinafter referred to as the "Department") recognizes the importance, the advantages, and the benefits of standardization activities. Economic growth is promoted through:

- (i) Reduction of manufacturing costs, inventory costs, and distribution costs;
- (ii) Better understanding among manufacturers, producers, or packagers (hereinafter referred to as producers), distributors, users, and consumers; and
- (iii) Simplification of the purchase, installation, and use of the product being standardized.

(2) The participation by the Federal Government in the development of voluntary standards for products, packages, processes, and materials (hereinafter referred to as products) is recognized as a service to the public. Such standards may cover, but are not limited to, terms, classes, sizes (including sizes of packaged consumer commodities and body sizes for wearing apparel), dimensions, capacities, quality levels, performance criteria, performance requirements, material specifications, packaging practices, inspection requirements, marking requirements, testing equipment, test procedures, and installation procedures.

(b) **Requirements for Department of Commerce participation.** The Department will participate in the development of a Voluntary Product Standard if, upon receipt of a request, the Department determines that such proposed standard:

- (1) Is likely to have national effect or implications;
- (2) Reflects the interest of an industry group or an organization concerned with the manufacture, production, packaging, distribution, testing, consumption, or use of the product, or the interest of a Federal or State agency;
- (3) Would not duplicate a standard published by, or actively being developed or revised by, a private national standardizing body to such an extent that it would contain similar requirements and test methods for identical types of products, unless such duplication was deemed by the Department to be in the public interest; and
- (4) Cannot be processed according to the needs or the desires of the proponent group by a private national standardizing body.

(c) **Role of the Department.** The Department assists in the establishment of

a Voluntary Product Standard as follows:

- (1) Acts as an unbiased coordinator in the development of the standard;
- (2) Provides editorial assistance in the preparation of the standard;
- (3) Supplies such assistance and review as is required to assure the technical soundness of the standard;
- (4) Seeks satisfactory adjustment of valid points of disagreement;
- (5) Determines the compliance with the criteria established in these procedures for such voluntary standards;
- (6) Provides secretarial functions for each committee appointed by the Department under these procedures; and
- (7) Publishes the standard as a public document.

(d) *Role of producers, distributors, users, and consumers.* Producers, distributors, users, consumers, and other interested groups may contribute to the development of a Voluntary Product Standard as follows:

- (1) Initiate and participate in the development of the standard;
- (2) Provide technical or other relevant counsel, as appropriate, relating to the standard;
- (3) Promote the use of, and support for, the standard; and
- (4) Assist in keeping the standard current with respect to advancing technology and marketing practices.

§ 10.1 Initiating development of a new standard.

(a) Any group or association from among the producers, distributors, users, or consumers, or a testing laboratory, or a State or Federal agency, may request the Department to initiate the development and publication of a Voluntary Product Standard under these procedures. Requests shall be in writing, signed by a representative of the group or agency, and forwarded to the Department. The initial request may be accompanied by a copy of a draft of the suggested standard.

(b) The request shall contain the following information:

- (1) The purpose and scope of the suggested standard; and
- (2) The names and addresses of the officers of the group or association, if the request is submitted by a group other than a State or Federal agency or other than a nationally recognized organization.

(c) The Department may require that the following additional information be submitted in support of the request:

- (1) A statement establishing the position that the development and publication of the standard would be in the public interest;
- (2) A succinct statement explaining the need for the development of the standard through the Department of Commerce procedures; and
- (3) Technical, marketing, or other appropriate data or information essential to discussion and development of the proposed standard, including, but not limited to, physical, mechanical, chemical, or performance characteristics, and production figures.

(d) Upon receipt of an appropriate request and, after a determination by the Department that a Voluntary Product Standard would not be contrary to the public interest, the Department may initiate the development by requesting that a draft of the suggested standard be prepared by an appropriate committee, provided such a draft has not previously been submitted under paragraph (a) of this section.

(e) The Department may initiate the development of a Voluntary Product Standard, if such action is deemed by the Department to be in the public interest, notwithstanding the absence of a request from an outside source. A voluntary standard initiated by the Department shall be processed in accordance with all requirements of these procedures and shall be developed in the same manner as a voluntary standard initiated by any group referred to in paragraph (a) of this section.

§ 10.2 Development of proposed standard.

(a) A proposed standard as submitted to the Department:

- (1) Shall be based on adequate technical information, or, in the case of size standards (including standards covering the quantities for packaged consumer commodities), on adequate marketing information, or both, as determined to be appropriate by the Department;
- (2) Shall not be contrary to the public interest;
- (3) Shall be technically appropriate and such that conformance or nonconformance with the standard can be determined either during or after the manufacturing process by inspection or other procedures which may be utilized by either an individual or a testing facility competent in the particular field;
- (4) Shall follow the form prescribed by the National Bureau of Standards (Copies of the recommended format may be obtained upon request from the Office of Engineering Standard Services, National Bureau of Standards, Washington, D.C. 20234.);
- (5) Shall include performance requirements if such are deemed by the Department to be technically sound, feasible, and practical, and the inclusion of such is deemed to be appropriate; and
- (6) May include dimensions, sizes, material specifications, product requirements, design stipulations, component requirements, test methods, testing equipment descriptions, and installation procedures. The appropriateness of the inclusion in a standard of any particular item listed in this subparagraph shall be determined by the Department.

(b) A proposed standard that is determined by the Department to meet the criteria set forth in paragraph (a) of this section may be subjected to further review by an appropriate individual, committee, organization, or agency (either government or nongovernment, but not associated with the proponent group).

(c) A proposed standard may be circulated by the Department to appropriate producers, distributors, users, consumers, and other interested groups for consideration and comment as well as to others requesting the opportunity to comment.

(d) The proponent group or appropriate committee which drafted the initial proposal under § 10.1(d) shall consider all comments and suggestions submitted by the reviewer designated under paragraph (b) of this section, and those received by the Department as a result of any circulation under paragraph (c) of this section, and may make such adjustments in the proposal as are technically sound and as are believed to cause the standard to be generally acceptable to producers, distributors, users, consumers, and other interested parties. The proposal will then be submitted to the Department for further processing.

(e) The Department will establish and appoint the members of a Standard Review Committee within a reasonable time after receiving a proposed standard. The committee will consist of qualified representatives of producers, distributors, and users or consumers of the product for which a standard is sought and of any other appropriate general interest groups such as State and Federal agencies. Representatives of Federal agencies shall be advisory, nonvoting members. (Alternates to committee members may be designated by the Department.)

§ 10.3 Establishment of the Standard Review Committee.

(a) A Standard Review Committee may remain in existence for a period necessary for the final development of the standard, or for 2 years, whichever is less.

(b) The Department will be responsible for the organization of the committee. Any formal operating procedures developed by the committee shall be subject to approval by the Department. The committee may conduct business either in a meeting or through correspondence, but only if a quorum participates. A quorum shall consist of two-thirds of all voting members of the committee. A majority of the voting members of the committee participating shall be required to approve any actions taken by the committee except for the action of recommending a standard to the Department, the requirements for which are contained in § 10.4(b).

§ 10.4 Development of a recommended standard.

(a) The Standard Review Committee, with the guidance and assistance of the Department and, if appropriate, the reviewer designated under § 10.2(b), shall review a proposed standard promptly. If the committee finds that the proposal meets the requirements set forth in § 10.2(a), it may recommend to the Department that the proposal be circulated for acceptance under § 10.5. If, however, the committee finds that the proposal being reviewed does not meet the requirements set forth in § 10.2(a), the committee shall change the proposal, after consulting with the proponent group, so that these requirements are

met, before recommending such proposal to the Department.

(b) The recommendation of a standard by the Standard Review Committee must be approved by at least three-quarters, or rejected by more than one-quarter, of all of the members of the committee eligible to vote. The voting on the recommendation of a standard shall be conducted by the Department if conducted by letter ballot. If such voting is accomplished at a meeting of the committee, the balloting shall be either by roll call or by signed written ballot conducted by the Department or the Chairman of the committee. If conducted by the Chairman, a report of the vote shall be made to the Department within 15 days. If the balloting at the meeting does not result in either approval by at least three-quarters of all members (or alternates) eligible to vote (whether present or not), or rejection by more than one-quarter of the members (or alternates) of the committee eligible to vote, the balloting shall be disregarded and the Department will subsequently conduct a letter ballot of all members of the committee.

(c) Any member of the committee casting a negative ballot shall have the right to support his objection by furnishing the Chairman of the committee and the Department with a written statement setting forth the basis for his objection. The written statement of objection must be filed within 15 days after the date of the meeting during which the voting on the standard was accomplished, or, in the case of a letter ballot, within the time limit established for the return of the ballot.

(d) At the time a recommended standard is submitted to the Department, the Chairman of the Standard Review Committee shall furnish a written report in support of the committee's recommendation. Such report shall include a statement with respect to compliance with the requirements as established by these procedures, a discussion of the manner in which any objections were resolved, and a discussion of any unresolved objections together with the committee's reasons for rejecting such unresolved objections.

§ 10.5 Procedures for acceptance of recommended standard.

(a) Upon receipt from the Standard Review Committee of a recommended standard and report, the Department shall give appropriate public notice and distribute the recommended standard for acceptance unless:

(1) Upon a showing by any member of the committee who has voted to oppose the recommended standard on the basis of an unresolved objection, the Department determines that if such objection were not resolved, the recommended standard:

(i) Would be contrary to the public interest, if published,

(ii) Would be technically inadequate, or

(iii) Would be inconsistent with law or established public policy; or

(2) The Department determines that all criteria and procedures set forth herein have not been met satisfactorily or that there is a legal impediment to the recommended standard.

(b) Distribution for acceptance or rejection for the purpose of determining general concurrence will be made to a list compiled by the Department, which, in the judgment of the Department, shall be representative of producers, distributors, and users and consumers.

(c) Distribution for comment will be made to any party filing a written request with the Department, and to such other parties as the Department may deem appropriate, including testing laboratories and interested State and Federal agencies.

(d) The Department will analyze the recommended standard and the responses received under paragraphs (b) and (c) of this section. If such analysis indicates that the recommended standard is supported by a consensus, it will be published as a Voluntary Product Standard by the Department, provided that all other requirements listed in these procedures have been satisfied.

(e) The following definitions shall apply to the terms used in this section:

(1) "Consensus" means general concurrence and, in addition, no substantive objection deemed valid by the Department.

(2) "General concurrence" means acceptance among those responding to the distribution made under paragraph (b) of this section in accordance with the conditions set forth in paragraph (f) of this section.

(3) "Substantive objection" means a documented objection based on grounds that one or more of the criteria set forth in these procedures has not been satisfied.

(4) "Average industry acceptance" means a percentage equal to the sum of the percentages of acceptance obtained from responses to distribution of the recommended standard in the producer segment, the distributor segment, and the user and consumer segment, divided by three. No consideration will be given to volume of production or volume of distribution in determining average industry acceptance.

(5) "Producer segment" means those persons who manufacture or produce the product covered by the standard.

(6) "Distributor segment" means those persons who distribute at wholesale or retail the product covered by the standard.

(7) "User and consumer segment" means those persons who use or consume the product covered by the standard.

(8) "Acceptance by volume of production" means the weighted percentage of acceptance of those responding to the distribution in the producer segment. The weighting of each response will be made in accordance with the volume of production represented by each respondent.

(9) "Acceptance by volume of distribution" means the weighted percentage of acceptance of those responding to the

distribution in the distributor segment. The weighting of each response will be made in accordance with the volume of distribution represented by each respondent.

(f) A recommended standard shall be deemed to be supported by general concurrence whenever:

(1) An analysis of the responses to the distribution under paragraph (b) of this section indicates:

(i) An average industry acceptance of not less than 75 percent;

(ii) Acceptance of not less than 70 percent by the producer segment, the distributor segment, and the user and consumer segment, each segment being considered separately; and

(iii) Acceptance by volume of production and acceptance by volume of distribution of not less than 70 percent in each case: *Provided*, That the Department shall disregard acceptance by volume of production or acceptance by volume of distribution or both unless, in the judgment of the Department, accurate figures for the volume of production or distribution are reasonably available and an evaluation of either or both of such acceptances is deemed necessary by the Department; or

(2) The Department determines that publication of the standard is appropriate under the procedures set forth in paragraph (g) of this section and, in addition, an analysis of the responses to the distribution under paragraph (b) of this section indicates:

(i) An average industry acceptance of not less than 66 $\frac{2}{3}$ percent;

(ii) Acceptance of not less than 60 percent by the producer segment, the distributor segment, and the user and consumer segment, each segment being considered separately; and

(iii) Acceptance by volume of production and acceptance by volume of distribution of not less than 60 percent in each case: *Provided*, That the Department shall disregard acceptance by volume of production or acceptance by volume of distribution or both unless, in the judgment of the Department, accurate figures for the volume of production or distribution are reasonably available and an evaluation of either or both of such acceptances is deemed necessary by the Department.

(g) A recommended standard which fails to achieve the acceptance requirements of paragraph (f) (1) of this section, but which satisfies the acceptance criteria of paragraph (f) (2) of this section, will be returned to the Standard Review Committee for reconsideration. The committee, by the affirmative vote of not less than three-quarters of all members eligible to vote, may resubmit the recommended standard without change to the Department with a recommendation that the standard be published as a Voluntary Product Standard. The Department shall then conduct a public rule-making hearing in accordance with the requirements of law as set forth in section 533 of Title 5, United States Code, to assist it in determining whether publication of the standard is in

the public interest. If the Department determines that publication of the standard is in the public interest, the standard will be published as a Voluntary Product Standard.

§ 10.6 Procedure when a recommended standard is not supported by a consensus.

If the Department determines that a recommended standard is not supported by a consensus, the Department may:

(a) Return the recommended standard to the Standard Review Committee for further action, with or without suggestions;

(b) Terminate the development of the recommended standard under these procedures; or

(c) Take such other action as it may deem necessary or appropriate under the circumstances.

§ 10.7 Standing Committee.

(a) The Department will establish and appoint the members of a Standing Committee prior to the publication of a standard. The committee may include members from the Standard Review Committee, and will consist of qualified representatives of producers, distributors, and users or consumers of the product covered by the standard, and representatives of appropriate general interest groups such as municipal, State, and Federal agencies. Representatives of Federal agencies shall be advisory, non-voting members. (Alternates to committee members may be designated by the Department.)

(b) Appointments to a Standing Committee may not exceed a term of 5 years. However, the committee may be reconstituted by the Department whenever appropriate, and members may be reappointed by the Department to succeeding terms. Appointments to the committee will be terminated upon the withdrawal of the standard.

(c) The Department will be responsible for the organization of the committee. Any formal operating procedures developed by the committee shall be subject to approval by the Department. The committee may conduct business either in a meeting or through correspondence, but only if a quorum participates. A quorum shall consist of two-thirds of all voting members of the committee. A majority of the voting members of the committee participating shall be required to approve any actions taken by the committee except for the approval of revisions of the standard which shall be governed by the provisions of § 10.4 (b), (c), and (d).

(d) The members of a Standing Committee should be knowledgeable about:

(1) The product or products covered by the standard;

(2) The standard itself; and

(3) Industry and trade practices relating to the standard.

(e) The committee shall:

(1) Keep itself informed of any advancing technology or marketing practices that might affect the standard;

(2) Provide the Department with interpretations of provisions of the standard upon request;

(3) Make recommendations to the Department concerning the desirability or necessity of revising or amending the standard;

(4) Receive and consider proposals to revise or amend the standard; and

(5) Recommend to the Department the revision or amendment of a standard.

§ 10.8 Publication of standard.

(a) A Voluntary Product Standard published by the Department under these procedures will be assigned an appropriate number for purposes of identification and reference. Public notice will be given regarding the publication and identification of the standard. A voluntary standard by itself has no mandatory or legally binding effect. Any person may choose to use or not to use such a standard. Appropriate reference in contracts, codes, advertising, invoices, announcements, product labels, and the like may be made to a Voluntary Product Standard published under these procedures. Such reference shall be in accordance with such policies as the Department may establish, but no product may be advertised or represented in any manner which would imply or tend to imply approval or endorsement of that product by the Department or by the Federal Government.

(b) A fee will be charged to the proponent group, when appropriate, to cover the initial publication expenses incurred in printing the final standard. This fee will entitle the proponent group to a thousand copies of the standard. Additional copies may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

§ 10.9 Review of published standards.

(a) Each standard published under these procedures will be reviewed by the Department, with such assistance of the Standing Committee or others as may be deemed appropriate by the Department, within 5 years after initial issuance or last revision and at least every 5 years thereafter. The purpose of this review will be to determine whether the standard has become obsolete, technically inadequate, no longer acceptable to or used by the industry, or inconsistent with law or established public policy.

(b) If any of the above conditions is found to exist, the Department will initiate action to amend, revise, or withdraw the standard in accordance with § 10.10 or § 10.12. If none of the above conditions is found to exist, the standard will be kept in effect.

§ 10.10 Revision or amendment of a standard.

(a) A published standard shall be subject to revision or amendment when it is determined to be inadequate by its Standing Committee or by the Department for one or more of the following reasons or for any other appropriate reason:

(1) Any portion of the standard is obsolete, technically inadequate, or no longer generally acceptable to or used by the industry;

(2) The standard or any part of it is inconsistent with law or established public policy; or

(3) The standard or any part of it is being used to mislead users or consumers or is determined to be against the interest of users, consumers, or the public in general.

(b) A revision of a standard shall be considered by the Department to include changes which are comprehensive in nature, which have a substantive effect on the standard, which change the level of performance or safety, or the design characteristics of the product being standardized, or which cannot reasonably be injected into a standard without disturbing the general applicability of the standard. Each suggestion for revision shall be submitted by the Department of the Standing Committee for appropriate consideration. The Standing Committee will serve the same functions in the revision of a standard as the Standard Review Committee serves in the development of a new standard. The processing of a revision of a standard will be dependent upon the age of the standard as computed from its effective date and will be accomplished as follows:

(1) A proposed revision of a standard older than 5 years at the time such proposed revision is submitted to the Standing Committee by the Department shall be processed as a new standard under these procedures and, when approved for publication, the standard shall be republished and reidentified to indicate the year in which the revision became effective. The revised standard will supersede the previously published standard.

(2) A proposed revision of a standard less than 5 years at the time such proposed revision is submitted to the Standing Committee by the Department shall be processed as a new standard except that:

(i) Distribution for acceptance or rejection shall be made to an appropriate list of producers, distributors, and users and consumers compiled by the Department;

(ii) If the revision affects only one subsection of the requirement section and/or only one subsection of the test methods section, it may be circulated separately for determining consensus and subsequently published as an addendum to the standard with appropriate dissemination and public notice of the addendum; and

(iii) If the revision does not change the level of performance or safety, or the design characteristics of the product being standardized, the standard need not be reidentified.

(c) An amendment to a standard shall be considered by the Department to be any non-editorial change which is not comprehensive in nature, which has no substantive effect on the standard, which does not change the level of performance or safety, or the design characteristics of the product being standardized, and which reasonably can be injected into a standard without disturbing the general applicability of the standard. Each suggestion for amendment shall be

submitted by the Department to the Standing Committee for appropriate consideration. An amendment to a standard recommended by not less than 90 percent of the members of the committee eligible to vote and found acceptable by the Department, will be published as an addendum (until the standard is republished) and distributed to acceptors of record. Public notice of the amendment shall be given and copies of the amendment shall be distributed to those filing written requests.

§ 10.11 Editorial changes.

The Department may, without prior notice, make such editorial or other minor changes as it deems necessary to reduce ambiguity or to improve clarity in any proposed, recommended, or published standard, or revision or amendment thereof.

§ 10.12 Withdrawal of a published standard.

(a) Any standard published under these or any previous procedures may be withdrawn by the Department at any time. Such action will be taken, if, after consultation with the Standing Committee as provided in paragraph (b) of this section, and after public notice, the Department determines that the standard is obsolete, technically inadequate, no longer generally acceptable to and used by the industry, inconsistent with law or established public policy, not in the public interest, or otherwise inappropriate, and revision or amendment is not feasible or would serve no useful purpose.

(b) Before withdrawing a published standard, the Department will review the relative advantages and disadvantages of amendment, revision, development of a new standard, or withdrawal with the members of the Standing Committee, if such committee was appointed within the previous 5 years.

(c) Public notice of intent to withdraw an existing standard will be given and a 30-day period will be provided for the filing of written objections to the withdrawal. Such objections to the withdrawal will be considered and analyzed by the Department before a final decision is made to withdraw the standard. The Department will give public notice of the withdrawal of an existing standard not less than 60 days prior to the effective date of such withdrawal.

(d) Withdrawal will terminate the authority to refer to the published standard as a voluntary standard developed under Department procedures, from the effective date of the withdrawal.

§ 10.13 Effect of procedures.

Nothing contained in these procedures shall be deemed to apply to the development, publication, revision, amendment, or withdrawal of any standard which is not identified as a "Voluntary Product Standard" by the Department. The authority of the Department with respect to engineering standards activities generally, including the authority to publish appropriate recommendations not identified as "Voluntary Product Standards,"

is not limited in any way by these procedures.

[F.R. Doc. 70-6658; Filed, May 27, 1970; 8:52 a.m.]

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[12th Gen. Rev., Export Regs. (Amdt. 15)]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Parts 370, 372, 373, and 376 of the Code of Federal Regulations are amended to read as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: June 1, 1970.

RAUER H. MEYER,
Director,
Office of Export Control.

PART 370—EXPORT LICENSING GENERAL POLICY AND RELATED INFORMATION

A new § 370.11 is established to read as follows:

§ 370.11 Information to exporters.

To minimize the administrative impact of export controls on U.S. business firms and to enable exporters to coordinate their business activities with the export control policies of the U.S. Department of Commerce, the Office of Export Control will undertake to inform exporters of the reasons that may subject an export license application to lengthy examination or denial. At the request of an exporter, the Office of Export Control will provide such information to the extent consistent with the national security, the foreign policy of the United States, and the confidentiality provisions of the Export Administration Act of 1969. Requests for this information should be held to a minimum, however, so as not to impede the normal processing of cases and thereby interfere with the effective administration of export control.

(a) *Considerations that may occasion lengthy examination.* Listed below are the most frequent reasons for delay or lengthy examination. Exporters are urged to submit with their applications any evidence or information, including brochures and technical literature, pertinent to these considerations.

(1) Determination as to whether a comparable commodity or technical data is produced abroad and is available to the proposed destination from Free World sources.

(2) Determination as to the potential strategic uses of a commodity or technical data. Frequently, this involves consultation with technicians in other government agencies and in industry.

(3) Because of the potential uses of a commodity or technical data in a manner that is of concern to the U.S. Government for national security or foreign policy reasons, the Office of Export Control must:

(i) Attempt to verify, through government channels, the end use stated in an application and/or supporting documents to assure that it is a reliable indication of the future use of the commodity or technical data;

(ii) Seek additional information, through government channels, as to the range of activities engaged in by a prospective end user; and/or

(iii) Consult other U.S. government agencies to obtain their views as to whether approval would be detrimental to the national security.

(4) Because of the strategic nature of certain commodities and technical data, the United States and other Free World governments have agreed to control their exports to destinations in Country Groups W, Y and Z. In certain instances, it is necessary to consult with these other Free World governments before action on an application can be taken.

(5) Where one or more of the foreign parties to an export transaction is unknown to the Office of Export Control, the U.S. Foreign Service is requested to provide information that will permit action to be taken.

(b) *Request for information.* (1) The request for information shall be submitted on Form IA-743A (Rev.), Requests for, and Advice on, Status of Pending Application, Amendment, or Re-export Request. The request may be made only by the applicant or applicant's agent. The Office of Export Control will respond as soon as possible, noting on the reverse side of the form the pertinent reason(s) for the delay or likelihood of denial.

(2) Approximately 98 percent of applications for licenses to export to Country Groups T, V, and X are acted upon within 2 weeks of receipt in the Office of Export Control. Applications for licenses to export to any other country group generally require more intensive scrutiny, but approximately 75 percent of these applications are acted upon within 4 weeks of receipt.

(3) Unless emergency circumstances necessitate immediate notification, applicants should not request information until the following time periods expire:

(i) For a destination in Country Group T, V, or X: Three weeks from date application, amendment, or reexport request was mailed.

(ii) For a destination in any other country group: Five weeks from date application, amendment, or reexport request was mailed.

NOTE: An additional week has been added to the time period shown in paragraph (b)(2) of this section to allow for postal transport time to and from the Office of Export Control. Earlier submissions may only serve to disrupt normal processing operations and cause unnecessary delay in acting upon the case.

PART 372—INDIVIDUAL VALIDATED LICENSES AND AMENDMENTS

§ 372.4 [Amended]

Section 372.4(i) is deleted and replaced by § 370.11 set forth above.

In § 372.11 paragraphs (e)(5) and (g)(3)(iv) and (v) are amended and a new paragraph (g)(2)(vi) is established to read as follows:

§ 372.11 Amending export licenses.

(e) * * *

(5) Extension of the validity period of the license, except a Distribution License (see § 373.3 of this chapter), Periodic Requirements License (see § 373.5 of this chapter), Time Limit License (see § 373.6 of this chapter), or a Service Supply License (see § 373.7 of this chapter).

(g) * * *
(2) * * *

(vi) Amendment or extension of a license to export any commodity listed in Supplement No. 1, to Part 377 of this chapter for which an application may be submitted at any time.

(3) * * *

(iv) Amendment or extension of a Project License, Distribution License, Periodic Requirements License, Time Limit License, or Service Supply License.

(v) Amendment or extension of a license to export any commodity for which a specific submission date is shown in Supplement No. 1 to Part 377 of this chapter.

PART 373—SPECIAL LICENSING PROCEDURES

In § 373.3(i), subparagraph (1) is revised to read as follows:

§ 373.3 Distribution license.

(i) *Reexports*—(1) *Distributor*. A distributor who is an approved consignee under a Distribution License may not reexport any commodity received under the Distribution License without the specific prior authorization of the U.S. Government, except reexports to any of the U.S. exporter's other consignees who have been approved under the Distribution License procedure. Upon specific instructions from the U.S. exporter, any of his subsidiaries, affiliates, or branches, as described in paragraph (c)(1)(i) of this section, that are located in countries outside the scope of the Distribution License Procedure, other than Switzerland or Liechtenstein, may also reexport eligible commodities (see paragraph (b) of this section) to any of his approved consignees. Reexports from Switzerland and Liechtenstein may be made only in accordance with § 374.3(d)(2) of this chapter.

PART 376—SPECIAL COMMODITY POLICIES AND PROVISIONS

In § 376.10, paragraphs (c) and (d) are redesignated (d) and (e) respective-

ly, and new paragraph (c) is established, in redesignated paragraph (d)(2) new subdivisions (xiii), (xiv), and (xv) are established, redesignated paragraph (e) is revised, and a new paragraph (f) is established to read as follows:

§ 376.10 Electronic computers and related Equipment.

(c) *Applications for terminal devices remote from computer operating area*. An application for a license to export a terminal device (Export Control Commodity No. 71492) to Country Groups W and Y to be located remote from the computer area shall include the following information:

(1) The total effective bit transfer rate (excluding parity, word marker and flag bits) as limited by any communications channel;

(2) The effective bit transfer rate of each terminal device; and

(3) For computers equipped with interface equipment;

(i) The effective bit transfer rate of each interfaced communications channel; and

(ii) The percent of time each interfaced communications channel is dedicated to the given application.

(d) * * *

(2) * * *

(xiii) "Terminal devices" are all peripheral devices excluding memory devices and special process control sensing and actuating equipments, capable of transmitting and/or receiving of binary digits or alpha-numeric characters. Normal groups of such equipments; e.g., combined paper tape reader/punch and printer, connected to a single data or communication channel, shall be considered as single devices.

(xiv) The "computer operating area" is the immediate vicinity of the computer installation where the normal operating, support, and service functions take place.

(xv) "Communications channels" are the transmission paths or circuits and the terminal transmission and receiving equipment (modems) for transferring digital information between distant locations.

(e) *Alternate means of furnishing information*. Instead of including all of the above information with each application, the applicant may furnish the Office of Export Control with technical specifications for his line of commodities described in paragraphs (a), (b), and (c) of this section keeping them current by supplementing technical bulletins or other similar publications as they are released, provided that such publications contain all of the applicable required technical information computed in accordance with the definition of terms as set forth in paragraph (d) of this section, and further that such information which relates to system performance as well as to individual component performance is directly applicable to the specific system configuration for which an application for an export license is made. In such cases, an exporter can comply with the requirements of this section by identifying the model number and entering the following statement in the "commodity

description" space on the application, or on an attachment:

The current technical information relating to the commodity (ies) described on this application, as required by § 376.10 of the Export Control Regulations, has been previously furnished the Office of Export Control.

(f) *Applications for interfaced equipment*. An application for a license to export equipment to Country Groups W and Y, to be interfaced with an existing computer system should include full particulars of the current system configuration, including make, model number, and quantity of those components which comprise the system. Insofar as is practicable that information which pertains to the current system as listed in paragraphs (a), (b), and (c) of this section should also be included with the application as well as the applicable data related to the additional equipment that the applicant wishes to export.

[F.R. Doc. 70-6628; Filed, May 27, 1970; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1730]

PART 13—PROHIBITED TRADE PRACTICES

William Martin Gurley et al.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities or misrepresentation or deception*. Subpart—Misrepresenting oneself and goods—Goods: § 13.1647 *Guarantees*; § 13.1695 *Old, secondhand, reclaimed or reconstructed as new*; § 13.1715 *Quality*; § 13.1762 *Tests, purported*; Misrepresenting oneself and goods—Prices: § 13.1805 *Exaggerated as regular and customary*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1880 *Old, used, or reclaimed as unused or new*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, William Martin Gurley et al., West Memphis, Ark., Apr. 17, 1970]

In the Matter of William Martin Gurley, an individual, trading as Gurley Industries and as Gurley Oil Co. (GO-CO), and C. L. Spark Plug National, Inc., a corporation, and William Martin Gurley, individually and as an officer of said corporation, and John H. Frese, as an officer of said corporation.

Consent order requiring Arkansas and California sellers of automotive parts including reconditioned spark plugs to cease misrepresenting the regular sales price of any item in any market area, savings available to purchasers, misrepresenting the testing of their spark plugs, deceptively guaranteeing them, falsely claiming that their rebuilt plugs are

equal to new ones, and failing to disclose the prior use of their reconditioned spark plugs.

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

It is ordered, That respondents William Martin Gurley, an individual, trading as Gurley Industries and as Gurley Oil Co. (GO-CO), and C. L. Spark Plug National, Inc., a corporation, and William Martin Gurley, individually and as an officer of said corporation, and John H. Frese, as an officer of said corporation, or under any other name or names, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the labeling, packaging, advertising, offering for sale, sale or distribution of spark plugs or any other product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Value" or any other word or words of similar import or meaning to refer to any amount which is appreciably in excess of the highest price at which substantial sales of such merchandise have been made in the recent regular course of business in the trade areas where such representations are made and unless respondents have in good faith conducted a market survey which establishes the validity of such trade area prices and retain in their files true and correct copies thereof; or misrepresenting in any manner, the price at which such merchandise has been sold in the trade areas where such representations are made.

2. Falsely representing, in any manner that savings are available to purchasers or prospective purchasers of respondents' merchandise; or misrepresenting, in any manner, the amount of savings available to purchasers or prospective purchasers of respondents' merchandise at retail.

3. Representing, directly or by implication, that respondents' products are guaranteed for 10,000 miles or in any other manner, unless all the terms and conditions of the guarantee, including its nature and extent, the name and address of the guarantor, and the manner in which the guarantor will perform thereunder, are clearly and conspicuously disclosed in immediate conjunction therewith.

4. Representing, directly or by implication, that respondents' spark plugs or any other products have been tested unless such spark plugs or other products have in fact been subjected to such tests and testing procedures as will establish that each spark plug or other item will fully perform in the manner and to the extent, directly or impliedly, represented.

5. Representing, directly or by implication, that respondents' spark plugs have been reconditioned to the extent that they will give performance equal to new spark plugs, or misrepresenting, in any manner, the kind or extent of the rebuilding or reconditioning done on spark plugs or any other product.

6. Representing, directly or by implication, that any used product or product containing a used part is new; or failing clearly and conspicuously to disclose such prior use in all invoices and on packages, labels or display cards and in all advertising and sales promotional material disseminated therefor;

7. Placing in the hands of others the means and instrumentalities by and through which they may mislead the public as to any of the matters and things prohibited in Paragraphs 1 through 6 inclusive.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed changes in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporations which may effect compliance arising out of the order.

It is further ordered, That respondent corporations shall forthwith distribute a copy of this order to each of their operating divisions.

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

Issued: April 17, 1970.

By the Commission

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 70-6611; Filed, May 27, 1970;
8:49 a.m.]

[Docket No. C-1731]

PART 13—PROHIBITED TRADE PRACTICES

Voedisch Brothers, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*: 13.155-40 Exaggerated as regular and customary; 13.155-45 Fictitious marking; 13.155-70 Percentage savings; § 13.175 *Quality of product or service*; § 13.235 *Source or origin*: 13.235-60 Place: 13.235-60(e) Imported products or parts as domestic. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*; 13.1055-50 Priceticketing merchandise misleadingly.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order Voedisch Brothers, Inc., et al., Chicago, Ill., Docket C-1731, Apr. 20, 1970]

In the Matter of Voedisch Brothers, Inc., a Corporation, Trading as Four Seasons Sporting Goods, and Phillip Teitelbaum, Individually and as an Officer of Said Corporation

Consent order requiring a Chicago, Ill., distributor of fishing tackle and accessories to cease misrepresenting the

country of origin of any product and the strength of its fishing lines, pricketicketing its merchandise at a deceptively higher price than prevalent in any trade area, making false savings claims, and furnishing others means to deceive purchasers.

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

It is ordered, That respondents, Voedisch Brothers, Inc., a corporation and its officers, trading as Four Seasons Sporting Goods or under any other trade name or names, and Phillip Teitelbaum, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the advertising, offering for sale, sale or distribution of fishing tackle, fishing accessories or any other product in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "American made" or any other words, terms or phrases of similar import or meaning to describe or refer to any product not wholly manufactured in the United States; or misrepresenting, in any manner, the country of origin of a product.

2. Representing, directly or by implication, that fishing lines are of a specified strength unless such lines are of the represented strength; or misrepresenting, in any manner, the performance characteristics of any product.

3. Priceticketing merchandise with any stated price amount unless (a) it is respondents' bona fide estimate of the actual retail price of the product in the area where respondents do business; (b) it does not appreciably exceed the highest price at which substantial sales of said product are made in said trade area; and (c) unless respondents have conducted a market survey which establishes the validity of said pricketicketed price and maintain records of such survey for a period of three (3) years.

4. Misrepresenting, in any manner, the prices at which respondents' merchandise are sold at retail, or the savings available to purchasers thereof.

5. Furnishing to others the means and instrumentalities whereby the purchasing public may be misled or deceived as to the matters and things herein prohibited.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment of sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

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

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report,

in writing, setting forth in detail the manner and form in which they have complied with the order.

Issued: April 20, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 70-6610; Filed, May 27, 1970;
8:49 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER D—APPROVED FORMS, FEDERAL POWER ACT

[Docket No. R-361; Order 331-1]

PART 141—STATEMENTS AND RE- PORTS (SCHEDULES)

Report of Events Affecting Bulk Power Supply

MAY 21, 1970.

On February 10, 1970, pursuant to section 553 of Title 5 of the United States Code, the Commission issued a notice of proposed rulemaking¹ in this proceeding (35 F.R. 3074, Feb. 17, 1970) proposing to amend § 141.58, report of bulk electric power supply interruptions in Part 141, Subchapter D, Approved Forms Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations, by adding new subparagraphs (1), (2), (3), (4), and (5) to paragraph (b), revising paragraphs (c) and (d), redesignating these paragraphs as (c), (d), and (e), and adding new paragraph (f). Section 141.58, which was originally prescribed by Order No. 331, issued December 20, 1966 (36 F.P.C. 1084; 31 F.R. 16691, Dec. 30, 1966), requires all public utilities, licensees, and other entities engaged in the generation or transmission of electric energy, whether or not otherwise subject to the jurisdiction of the Commission and whether privately, publicly, cooperatively owned to report on specified conditions concerning bulk power supply. The proposed amendments, which were designed to enable the Commission to be better informed on matters of concern in carrying out its responsibilities related to the reliability of the Nation's bulk power supply, would redefine the power interruptions to be reported, modify the time requirements and procedures for reporting, and extend the reporting requirement to include information on some operating conditions but do not necessarily result in interruptions of customer loads.

¹ This notice superseded the prior notice of proposed rule making in Docket No. R-361, issued June 23, 1969 (34 F.R. 11106, July 1, 1969), Erratum Notice issued July 31, 1969 (34 F.R. 13280, Aug. 15, 1969).

Comments were invited from interested persons to be submitted by March 27, 1970.

In response to this notice, the Commission received comments from 19 entities.² Four of the respondents made no requests for further changes, and 15 commented in various ways upon paragraphs 5(b)(2), 5(b)(3), 5(b)(4), 5(b)(5), and 5(e)(2)(vi) and (viii).

In paragraph 5(b)(2), the use of the word "deliberate" and the possibility of requiring the reporting of prearranged interruptions for maintenance or operational reasons within the meaning of the term " * * * deliberate action to reduce firm customer loads * * *" were questioned. The reporting of this type of interruption is not intended to be required and, since the remainder of the sentence goes on to say " * * * by reduction of voltage for reasons of adequacy of bulk power supply", we believe the reporting of prearranged interruptions for maintenance or operational reasons is clearly excluded and requires no further clarification. The word "deliberate" is being deleted.

In paragraph 5(b)(2), four respondents suggested that deliberate actions to reduce load by reduction of voltage be reported only if the voltage reduction exceeded three or five percent. One suggested that load sheddings up to 15 mw be excluded. Since these would seem to imply that some insufficiencies in generating capacity and small load reductions resulting therefrom are acceptable operating practices, and we do not support this view, we have made no change. Furthermore, the Order qualifies the reports to require only those made " * * * for reasons of adequacy of bulk power supply."

In paragraph 5(b)(3), three respondents thought that prearranged interruptions for maintenance or operational purposes could be construed to be included in " * * * deliberate action to reduce firm customer loads * * *." We believe the qualifying phrase, " * * * for reasons of adequacy of bulk power supply," clearly excludes that type of interruption from being reported. The word "deliberate" is being deleted since it appeared to cause confusion.

In paragraph 5(b)(4), nine respondents questioned the meaning of "newsworthy" or "unusual hazard" particularly in the context of reporting such incidents within 1 hour of occurrence. It is realized that the questioned terms

² Alabama Power Company, Arkansas Power & Light Company, Carolina Power & Light Company, Commonwealth Edison Company, East Central Area Reliability Agreement, Illinois Power Company, Georgia Power Company, Mississippi Power & Light Company, Montana Power Company, New York State Electric & Gas Corporation, Northeast Utilities, National Electric Reliability Council, Pacific Power & Light Company, Public Service Company of New Mexico, Salt River Project, Southern California Edison Company, U.S. Department of the Interior, Utah Power & Light Company, Wisconsin Power and Light Company.

are subject to factors of judgment and that interpretation will always be subject to such judgment on the part of the reporting entity. The 1-hour time limit, as well as the value of the judgment, is mitigated by the qualifying phrase " * * * or as soon as practicable after the event is recognized as being applicable for reporting hereunder." A clarifying change is being made.

In paragraph 5(b)(5), the possibility of the 1-hour reporting requirement interfering with service restoration was suggested. The intent of the Order is not to interfere with restoration procedures, and this is stated. However, since the loss of load of 200,000 kw or more for 15 minutes should be immediately apparent to the control office involved, and since a reasonably large segment of the population will be aware of the interruption, including possibly the regional office due to receive the report, it is not unreasonable to expect at least an initial report within the time stated. Furthermore, this represents no change from the provision in the existing order. Paragraph 5(d) provides the necessary guidelines and tolerances so that subsequent reports can be made as additional information becomes available.

With reference to paragraph 5(e)(2)(vi), it was pointed out that the "actual loading on the lines" is often unknown. We agree that this is true, since such information would require the continuous recording of loadings on all transmission lines and this is not generally done, although many lines involved in interchange or critical power transfers may be so equipped. Accordingly, the wording of this paragraph has been changed to read: " * * * beginning of the disturbance, and the actual loading on the generating units and, where available, the loading on the lines at that time. When actual loadings are not available, estimate the line loadings at the time to the extent possible."

One respondent suggested that paragraph 5(e)(2)(viii) should require a description rather than an "evaluation" of the impact of a load reduction or interruption on an affected area. This change has been made.

The Commission finds:

(1) The notice and opportunity to participate in this proceeding with respect to the matters presently before this Commission through the submission, in writing, of data, views, comments, and suggestions in the matters as described above, are consistent and in accordance with all procedural requirements therefor as prescribed in 5 U.S.C. 553.

(2) The amendments to § 141.58 herein prescribed are necessary and appropriate for the administration of the Federal Power Act.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 202, 205, 206, 304, 307, 309, and 311; (49 Stat. 848, 851, 852, 855, 856, 859; 67 Stat. 461; 16 U.S.C. 824a, 824d, 824e, 825c, 825f, 825h, 825j), orders:

(A) Section 141.58, in Part 141, Subchapter D, Approved Forms, Federal

Power Act, Chapter I, Title 18 of the Code of Federal Regulations (18 CFR 141.58) is revised to read as follows:

§ 141.58 Report of impending emergencies, load reductions, and/or service interruptions in bulk electric power supply and related power supply facilities.

(a) *Definitions.* For the purpose of this rule, a bulk electric power supply interruption shall be any interruption or loss of service to customers of any electric utility, licensee or other entity engaged in the generation or transmission of electric energy caused by or involving an outage of any generating unit or of electric facilities operating at a nominal voltage of 69 kv or higher. In determining the aggregate of loads which are interrupted, any load which is interrupted in accordance with the provisions of contracts permitting interruption in service shall not be included. If the interruption affects only a single ultimate customer, the interruption need not be reported. For the purpose of this rule, a report or a part of a report may be made jointly by two or more entities.

(b) *Telephonic reports.* Every electric utility, licensee or other entity engaged in the generation or transmission of electric energy shall report promptly to the appropriate Regional Office of the Commission by telephone any event as described in subparagraph (1), (2), (3), (4), or (5) of this paragraph:

(1) Any decision to issue a public request for reduction in use of electricity. (FPC is to be notified at the time of issuing any such request.)

(2) Any action to reduce firm customer loads by reduction of voltage for reasons of maintaining adequacy of bulk electric power supply. (FPC is to be notified at the time of taking such action.)

(3) Any action to reduce firm customer loads by manual switching, operation of automatic load-shedding devices, or any other means for reasons of maintaining adequacy of bulk electric power supply. (FPC is to be notified at the time of taking such action.)

(4) Any bulk supply outage or accident to system facilities of consequence on a regional or national basis or constituting an unusual hazard to the bulk electric power supply system. (FPC is to be notified within one hour of occurrence or as soon as practicable after the event is recognized as being applicable for reporting hereunder.)

(5) Any loss in service for 15 minutes or more of bulk electric power supply to aggregate loads in excess of 200,000 kw. See paragraph (d) of this section for description of information to be reported. (FPC is to be notified as soon as practicable without unduly interfering with service restoration and, in any event, within one hour after the beginning of the interruption.)

The above events are to be reported to the appropriate Regional Office of the Commission in accordance with the current directory of FPC representatives and telephone numbers.

(c) *Telegraphic or telephonic reports.*

(1) Every electric utility licensee, and other entity engaged in the generation or transmission of electric energy shall report any event as described below to the appropriate Regional Office of the Commission by telephone or telegram addressed to the Regional Engineer, Federal Power Commission, as shown in the current directory.

(2) These reports are to be made no later than the beginning of the Commission's next regular work day (Monday-Friday) after the interruption occurred. Events requiring a report are as follows:

(i) Any loss in service for 15 minutes or more of bulk electric power supply to aggregate loads exceeding the lesser of 100,000 kw or half of the current annual system peak load, and not required to be reported under paragraph (b) of this section. See paragraph (d) of this section for information to be reported.

(d) *Information to be reported.* The information supplied in the initial report should include at least the approximate territory affected by the interruption, the time of occurrence, the duration of an appraisal of the likely duration if service is still interrupted, an estimate of the number of customers and amount of load involved, and whether any known critical services, such as hospitals, pumping stations, traffic control systems, etc. were interrupted. To the extent known or suspected, the report desirably will include a description of the initial incident resulting in the interruption. The Commission or its representative may require further reports during or after the period of interruption and restoration of service, such reports to be made by telephone, telegraph or letter, as required.

(e) *Special investigations and reports.*

(1) If so directed by the Commission or the Chief, Bureau of Power, an entity experiencing a condition, as described in paragraphs (b) and (c) of this section, shall submit a full report of the circumstances surrounding such occurrence and the conclusions the entity has drawn therefrom. The report shall be filed at such time subsequent to the submittal of the initial report by telephone or telegraph as may be directed by the Commission or the Chief, Bureau of Power.

(2) The report shall be prepared in such detail as may be appropriate to the severity and complexity of the incident experienced and should include an account understandable to the informed layman in addition to the following technical and other information:

(i) The cause or causes of the incident clearly described, including the manner in which it was initiated.

(ii) A description of any operating conditions of an unusual nature preceding the initiation of the incident.

(iii) If the incident was an interruption and geographically widespread, an enumeration of the sequence of events contributing to its spread.

(iv) An account of the measures taken which prevented further spreading in the loss of service, e.g., manual or automatic load shedding, unit isolation, or system sectionalization. These actions and all chronicled events should be keyed to a record of the coincident power frequencies which occurred.

(v) A description of the measures taken to restore service with particular evaluation of the availability of start-up power and the ease or difficulty of restoration.

(vi) A statement of the capacity of the transmission lines into the area of load interruption, the generating capacity in operation in the area at the beginning of the disturbance, and the actual loading on the generating units and, where available, the loading on the lines at that time. When actual loadings are not available, estimate the line loadings at the time to the extent possible.

(vii) A summary description of any equipment damage and the status of its repair.

(viii) A description of the impact of any load reduction or interruption on people and industries in the affected area, including a copy of materials in the printed news media indicative of the impact.

(ix) Information on the steps taken, being taken, or planned by the utility, to prevent recurrence of conditions of a similar nature, to ease problems of service restoration, and to minimize impacts on the public and the customers of any future conditions of a similar nature.

(f) *Generating equipment availability data.* (1) The Commission takes note that the Edison Electric Institute has for several years collected and summarized information on generating equipment availability and has recently expanded its facilities for recording and processing this information. Recognizing that a large part of the industry, including a number of utilities which are not members of EEI, contribute information to and receive reports from this data system and that it is desirable to avoid duplication, it is anticipated that this source of information may serve to meet the needs of both industry and regulatory commissions for information which is of increasing importance from the standpoint of power supply reliability.

(2) It is understood that all electric utilities are eligible to participate in the computerized EEI data storage, retrieval, and analysis system, and the Commission encourages participation in order that the data files may be as complete as possible. Therefore, no general order for reports on generating unit outages is contemplated unless the needed information is unavailable from the EEI records.

(Secs. 202, 205, 206, 304, 307, 309, 311, 49 Stat. 848, 851, 852, 855, 856, 858, 859; 67 Stat. 461; 16 U.S.C. 824a, 824d, 824e, 825c, 825f, 825h, 825j)

(B) The amendments herein ordered are effective as of June 21, 1970.

(C) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

DIRECTORY FOR REPORTING EVENTS
AFFECTING BULK POWER SUPPLY

REGIONAL OFFICE

Atlanta

Federal Power Commission,
730 Peachtree Bldg.,
Room 500,
Atlanta, Ga. 30308.

Monday-Friday, 7:45 a.m.-4:15 p.m.: Regional Office, Area Code (404) 526-5134.
Nights, weekends, and holidays: Robert C. Price, Regional Engineer, (404) 233-0687.
C. L. Fishburne, Dept. Regional Engr., (404) 237-6696. T. G. Swennes, Engineer in Charge,¹ (404) 237-0188.

Chicago

Federal Power Commission
610 South Canal Street
Chicago, Ill. 60607

Monday-Friday, 8 a.m.-4:30 p.m. Regional Office: Area Code (312) 353-6171.
Nights, Weekends, and Holidays: Lenard B. Young, Regional Engineer, (312) 439-8764.
O. E. Haukedahl, Dept. Regional Engr. (312) 748-7586. H. R. Rinder, Electrical Engineer, (312) 478-7737.

Fort Worth

Monday-Friday 8:30 am-5:00 pm
Regional Office: Area Code (817) 334-2631.
Federal Power Commission, 819 Taylor Street, Fort Worth, Texas 76102.
Nights, Weekends, and Holidays
Donald L. Martin, Regional Engineer (817) 274-8972.
Joseph H. Flood, Engineer in Charge¹ (817) 292-3253.
Johnny R. Johnson, Electrical Engineer (817) 293-2228.

New York

Monday-Friday 8:30 am-5:00 pm
Regional Office: Area Code (212) 264-3687
Federal Power Commission, 26 Federal Plaza, 22d Floor, New York, New York 10007.
Nights, Weekends, and Holidays
Paul H. Shore, Regional Engineer (201) 779-2229.
J. H. Spellman, Dep. Regional Engr. (201) 245-7795.
J. D. Hebson, Engineer in Charge¹ (201) 998-2845.

San Francisco

Monday-Friday 8:30 am-5:00 pm
Regional Office: Area Code (415) 556-3581.
Federal Power Commission, 555 Battery Street, San Francisco, Calif. 94111.
Nights, Weekends, and Holidays
M. Boyd Austin, Regional Engineer (415) 347-2843.
R. H. Griffin, Dep. Regional Engr. (415) 531-0564.
G. R. Bell, Engineer in Charge¹ (415) 524-4632.

[F.R. Doc. 70-6619; Filed, May 27, 1970;
8:49 a.m.]

¹ Denotes Engineer in Charge of Section of Power Requirements and Supply.

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

O,O-Diethyl O - [p - Methylsulfinyl] phenyl] Phosphorothioate

A petition (PP OFO905) was filed with the Food and Drug Administration by the Chemagro Corp., Post Office Box 4913, Kansas City, Mo. 64120, proposing establishment of a tolerance for the combined residues of the insecticide O,O - diethyl O - [p - (methylsulfinyl) phenyl] phosphorothioate and its cholinesterase-inhibiting metabolites in or on the raw agricultural commodity sugarcane at 0.02 part per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purpose for which the tolerance is being established.

Based on consideration given data submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that:

1. The proposed use is not reasonably expected to result in residues in meat, milk, poultry, and eggs. The use is in the category specified in § 120.6(a)(3).

2. The tolerance established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.234 is amended by revising the fifth paragraph to read as follows to establish the subject tolerance:

§ 120.234 O,O-Diethyl O-[p-(methylsulfinyl)phenyl] phosphorothioate; tolerances for residues.

0.02 part per million (negligible residue) in or on bananas and sugarcane.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections

may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: May 20, 1970.

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

[F.R. Doc. 70-6607; Filed, May 27, 1970;
8:48 a.m.]

SUBCHAPTER D—HAZARDOUS SUBSTANCES

PART 191—HAZARDOUS SUBSTANCES: DEFINITIONS AND PROCEDURAL AND INTERPRETATIVE REGULATIONS

Labeling of Extremely Flammable Contact Adhesives

In 1967 the Food and Drug Administration expressed concern by letter to a trade association of manufacturers of extremely flammable contact adhesives (also known as contact bonding cements) over several reports of accidental fires, some involving fatalities, associated with use of such products. The trade association proposed certain additional cautionary labeling which would more adequately warn of the hazards. The Food and Drug Administration agreed to the adequacy of the proposed additional warnings but stated that the decision would be reconsidered should the labeling prove to be inadequate at a future time.

Acting on requests to make the aforementioned labeling available to all manufacturers and distributors of such articles in the interest of uniform labeling throughout the industry, the Commissioner proposed in the FEDERAL REGISTER of February 18, 1970 (35 F.R. 3119), that a new section be added to Part 191.

In response one comment was received that suggested a minor change in the rear panel portion of the labeling. Two other comments were received concerning the definition of "contact adhesive." One of these also pointed out that a method of testing for flammability was not specified. The Commissioner concludes that the proposal, with changes to clarify these points, should be adopted as set forth below.

Accordingly, pursuant to provisions of the Federal Hazardous Substances Act (sec. 10(a), 74 Stat. 378; 15 U.S.C. 1269) and under authority delegated to the Commissioner (21 CFR 2.120), Part 191 is amended by adding thereto the following new section:

§ 191.113 Extremely flammable contact adhesives; labeling.

(a) Extremely flammable contact adhesives, also known as contact bonding cements, when distributed in containers intended or suitable for household use may be misbranded under the act if the

containers fail to bear a warning statement adequate for the protection of the public health and safety.

(b) The following warning statement is considered as the minimum cautionary labeling adequate to meet the requirements of section 2(p)(1) of the act with respect to containers of more than one-half pint of contact adhesive and similar liquid or semiliquid articles having a flashpoint at or below 20° F. as determined by the method in § 191.13, when the only hazard foreseeable is that caused by the extreme flammability of the mixture:

DANGER

EXTREMELY FLAMMABLE

VAPORS MAY CAUSE FLASH FIRE

- Vapors may ignite explosively.
- Prevent buildup of vapors—open all windows and doors—use only with cross-ventilation.
- Keep away from heat, sparks, and open flame.
- Do not smoke, extinguish all flames and pilot lights, and turn off stoves, heaters, electric motors, and other sources of ignition during use and until all vapors are gone.
- Close container after use.
- Keep out of the reach of children.

(c) The words that are in capital letters in the warning statement set forth in paragraph (b) of this section should be printed on the main (front) panel or panels of the container in capital letters of the type size specified in § 191.101(c). The balance of the cautionary information may appear together on another panel provided the front panel bears a statement such as "Read carefully other cautions on ----- panel," the blank being filled in with the identification of the specific label panel bearing the balance of the cautionary labeling. It is recommended that a borderline be used in conjunction with the cautionary labeling.

(d) If an article has additional hazards, or contains ingredients listed in § 191.7 as requiring special labeling, appropriate additional front and rear panel precautionary labeling is required.

A delayed effective date is unnecessary for this promulgation since the new regulation provides interested persons uniform labeling for extremely flammable contact adhesives and will not cause labeling changes for articles that bear equivalent labeling.

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

(Sec. 10(a), 74 Stat. 378; 15 U.S.C. 1269)

Dated: May 19, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc 70-6608; Filed, May 27, 1970; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 5—General Services Administration

PART 5-60—CONTRACT APPEALS

This amendment of the General Services Administration Procurement Regulations revises the rules of the GSA Board of Contract Appeals. The revised rules follow, substantially, the model rules of the Federal Bar Association Committee on Boards of Contract Appeals. The principle changes include the following: Provision for the commencement of the preparation of appeal files by contracting officers as soon as notices of appeals are received; inclusion of compliant and answer procedures; broadened procedures regarding depositions and interrogatories (applicable to the Government and the appellant); and addition of Board procedures applicable to cases remanded from any court.

Part 5-60 is revised to read as follows:

Sec.	Scope of part.
5-60.000	Scope of part.
Subpart 5-60.1—General Policy	
5-60.101	Jurisdiction for considering appeals.
5-60.102	Organization and location of the Board.
5-60.103	Decisions on questions of law.
5-60.104	Board of Contract Appeals procedure.
5-60.104-1	Rules.
5-60.104-2	Administration and interpretation of rules.
5-60.104-3	Preliminary procedures.
5-60.104-4	Time, computation, and extensions.
5-60.104-5	Representation of parties.
Subpart 5-60.2—Rules of the General Services Administration Board of Contract Appeals	
5-60.201	Notice of appeal.
5-60.201-1	Filing.
5-60.202	Contents of notices of appeal.
5-60.203	Forwarding of appeals.
5-60.204	Acknowledgment of appeal and distribution.
5-60.205	Appeal file.
5-60.205-1	Preparation and submission.
5-60.205-2	Notification to appellant.
5-60.206	Pleadings.
5-60.206-1	Complaint.
5-60.206-2	Answer.
5-60.206-3	Amendment of pleadings.
5-60.207	Motions.
5-60.207-1	Types.
5-60.207-2	For lack of jurisdiction.
5-60.208	Hearing election.
5-60.209	Prehearing briefs.
5-60.210	Prehearing conference.
5-60.211	Submission without a hearing.
5-60.212	Optional accelerated procedure.
5-60.213	Closing of the record.
5-60.213-1	Time of submission for decision.
5-60.213-2	Record bases for decision.
5-60.213-3	Availability of record.
5-60.214	Depositions.
5-60.214-1	When permitted.
5-60.214-2	Orders on depositions.
5-60.214-3	Use as evidence.
5-60.214-4	Expenses.
5-60.215	Interrogatories to parties, production and inspection of documents.
5-60.215-1	Interrogatories to parties.
5-60.215-2	Production and inspection of documents.

Sec.	Service of papers.
5-60.216	Hearings.
5-60.217	Where and when held.
5-60.217-1	Notice of hearings.
5-60.217-2	Unexcused absence of a party.
5-60.217-3	Nature of hearings.
5-60.217-4	Examination of witnesses.
5-60.217-5	Copies of papers.
5-60.217-6	Posthearing submissions.
5-60.217-7	Transcript of proceedings.
5-60.217-8	Withdrawal of exhibits.
5-60.217-9	Representation of parties.
5-60.218	Representation of appellant.
5-60.218-1	Representation of Government.
5-60.218-2	Decisions.
5-60.219	Motions for reconsideration.
5-60.220	Dismissal without prejudice.
5-60.221	Remands from courts.
5-60.222	Standards of conduct.

AUTHORITY: The provisions of this Part 5-60 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

§ 5-60.000 Scope of part.

This part establishes policies and procedures regarding matters to be considered by the Board of Contract Appeals, and the rules of the Board.

Subpart 5-60.1—General Policy

§ 5-60.101 Jurisdiction for considering appeals.

(a) Except as stated in paragraphs (b) and (c) of this section, the General Services Administration Board of Contract Appeals (referred to herein as "the Board") shall consider and determine appeals from decisions of contracting officers and other officials of GSA arising under contracts which contain provisions requiring the determination of appeals by the head of an agency or his duly authorized representative or board, and as otherwise authorized by the Administrator. The Board has authority to determine appeals falling within the scope of its jurisdiction as fully and finally as might the Administrator himself.

(b) The Administrator reserves the right to direct that the authority of the Board shall not be exercised where he may desire or be required to render a decision on a matter of dispute. In such instances, the Administrator may request the Board to submit findings and recommendations.

(c) The authority of the Board does not apply to any matters arising from complaints originating under the Equal Opportunity clause in contracts.

§ 5-60.102 Organization and location of the Board.

(a) The Board is located in Washington, D.C., and is a part of the staff of the Administrator.

(b) The Board consists of a Chairman and six other members, all of whom shall be attorneys at law duly licensed by any State, Commonwealth, Territory, or the District of Columbia, in addition to clerical personnel. In general, the appeals are assigned to a panel of at least three members of the Board. The decision of a majority of the panel constitutes the decision of the Board.

§ 5-60.103 Decisions on questions of law.

When an appeal is taken pursuant to a disputes clause in a contract which

limits appeals to disputes concerning questions of fact, the Board may in its discretion hear, consider, and decide all questions of law necessary for the complete adjudication of the issue.

§ 5-60.104 Board of Contract Appeals procedure.

§ 5-60.104-1 Rules.

Appeals referred to the Board are handled in accordance with the rules of the Board (see Subpart 5-60.2 of this part).

§ 5-60.104-2 Administration and interpretation of rules.

Emphasis is placed upon the sound administration of these rules in specific cases, because it is impracticable to articulate a rule to fit every possible circumstance which may be encountered. These rules will be interpreted so as to secure a just and inexpensive determination of appeals without unnecessary delay.

§ 5-60.104-3 Preliminary procedures.

Preliminary procedures are available to encourage full disclosure of relevant and material facts, and to discourage unwarranted surprise.

§ 5-60.104-4 Time, computation, and extensions.

(a) All time limitations specified for various procedural actions are computed as maximums, and are not to be fully exhausted if the action described can be accomplished in a lesser period.

(b) Except as otherwise provided by law, in computing any period of time prescribed by these rules or by any order of the Board, the day of the event from which the designated period of time begins to run shall not be included, but the last day of the period shall be included unless it is a Saturday, Sunday, or a legal holiday, in which event the period shall run to the end of the next business day.

(c) Except for the period prescribed for filing Notices of Appeal and Requests for Reconsideration, an extension of time may be granted by the Board upon written motion by the requesting party stating good cause for such an extension.

§ 5-60.104-5 Representation of parties.

Reference to contractor, appellant, contracting officer, Government, and parties shall include respective representatives of the parties, provided that appropriate notices of appearance have been filed with the Board. An appellant may appear before the Board in person or may be represented by counsel or by any other duly authorized representative.

Subpart 5-60.2—Rules of the General Services Administration Board of Contract Appeals

§ 5-60.201 Notice of appeal.

§ 5-60.201-1 Filing.

Notice of an appeal must be in writing and may be on GSA Form 2465. Notice of Appeal, and the original, together with two copies, addressed to the Administrator, shall be filed with the contracting

officer from whose decision the appeal is taken. The notice of appeal must be mailed or otherwise filed within the time specified therefor in the contract or as allowed by applicable provision of directive or law.

§ 5-60.202 Contents of notices of appeal.

A notice of appeal, which may be on Form 2465, Notice of Appeal, should indicate that an appeal is thereby intended, should identify the decision, and the date thereof, from which the appeal is taken and the GSA service or staff office cognizant of the dispute, and should furnish the number of the contract in dispute. The appeal should describe the nature of the dispute involved in the decision and the relief sought, the contract provisions involved, and any other additional information or comments relating to the dispute which are considered to be important. The notice of appeal should be signed personally by the appellant (the prime contractor making the appeal) or by an officer of the appellant corporation, or member of the appellant firm, or by the contractor's duly authorized representative or attorney.

§ 5-60.203 Forwarding of appeals.

When a notice of appeal is received by the contracting officer, he shall transmit, directly to the Administrator, the original of the notice of appeal, together with the original of the envelope in which the notice of appeal was received with the date of receipt stamped thereon, and any receipt from the appellant showing the date of receipt of the decision of the contracting officer, or shall furnish information as to the date when his decision was received by the appellant. When the Board receives the original or copy of a notice of appeal from a source other than the contracting officer, the contracting officer shall be advised promptly, given a copy of the notice, and shall be requested to follow the same procedure as if he had received the notice directly from the appellant.

§ 5-60.204 Acknowledgment of appeal and distribution.

After the Board receives a notice of appeal, it will promptly acknowledge receipt thereof to the appellant, who shall be furnished a copy of these rules. The Board simultaneously will transmit copies of appropriate documents to the contracting officer, the GSA Central Office service or staff office concerned, and the representative of the Office of General Counsel.

§ 5-60.205 Appeal file.

§ 5-60.205-1 Preparation and submission.

Following receipt of the notice of appeal, or advice that an appeal has been filed, the contracting officer shall promptly, and in any event within 30 days, compile and transmit to the Board an appeal file consisting of copies of all documents pertinent to the appeal, together with an index listing the documents. There should be included:

(a) The decision from which the appeal is taken and any findings of fact made in connection therewith, and the letter or letters or other documents of claim in response to which the decision was issued;

(b) The contract and pertinent plans, specifications, amendments, and change orders;

(c) Correspondence between the parties and other data pertinent to the appeal;

(d) Transcripts of any testimony taken during the course of proceedings, and affidavits or statements of any witnesses on the matter in dispute made prior to the filing of the notice of appeal with the Board; and

(e) Such additional information as may be considered material.

§ 5-60.205-2 Notification to appellant.

Upon receipt of the foregoing appeal file, the Board shall notify the appellant, provide him with a listing of its contents, and shall afford him an opportunity to examine the complete compilation at the office of the contracting officer, or at the office of the Board, for the purpose of satisfying himself as to the contents, and furnishing or suggesting any additional documentation deemed pertinent to the appeal. The Board also will promptly advise the parties regarding any later documentation of the appeal file.

§ 5-60.206 Pleadings.

§ 5-60.206-1 Complaint.

Within 30 days after receipt of notice of docketing of the appeal, the appellant shall file with the Board an original and two copies of a complaint setting forth simple, concise, and direct statements of each claim, alleging the basis with appropriate reference to contract provisions for each claim, and the dollar amount claimed. Upon receipt thereof, the Board shall serve a copy upon the Government. Should a complaint not be mailed or otherwise filed within 30 days, appellant's claim and appeal shall be deemed to set forth its complaint and the Government shall be so notified.

§ 5-60.206-2 Answer.

(a) Within 30 days from receipt of said complaint, or the aforesaid notice from the Board, the Government shall prepare and file with the Board an original and two copies of an answer thereto, setting forth simple, concise, and direct statements of its defenses to each claim asserted by appellant.

(b) This pleading shall set forth any affirmative defenses or counterclaims, as appropriate. Upon receipt thereof, the Board shall serve a copy upon appellant.

§ 5-60.206-3 Amendment of pleadings.

The Board may, in its discretion, and within the proper scope of the appeal, permit or require either party to amend its pleading upon conditions just to both parties. When issues within the proper scope of the appeal, but not raised by the pleadings or documentation described in § 5-60.206, are tried by express or implied consent of the parties, or by

permission of the Board, they shall be treated in all respects as if they had been raised therein. In such instances, motions to amend the pleadings to conform to the proof may be entered, but are not required. If evidence is objected to at a hearing on the ground that it is not within the issues raised by the pleadings or the appeal file (which shall be deemed part of the pleadings for this purpose), it may be admitted within the proper scope of the appeal: *Provided, however*, That the objecting party may be granted a continuance, if necessary, to enable him to meet such evidence.

§ 5-60.207 Motions.

§ 5-60.207-1 Types.

The Board may entertain the following motions:

- (a) To dismiss for lack of jurisdiction;
- (b) To dismiss the appeal for failure by the contractor to state a claim for which relief can be granted;
- (c) To dismiss the appeal for failure of the contractor to prosecute;
- (d) To grant the appeal for failure of the Government to prosecute its defense; or
- (e) Such other motions as may be appropriate.

§ 5-60.207-2 For lack of jurisdiction.

Any motion addressed to the jurisdiction of the Board, and any reply thereto, shall be promptly filed. Oral argument on the motion shall be afforded on application of either party, unless the Board determines that its decision on the motion will be deferred pending hearing on both the merits and the motion. The Board shall have the right at any time, and on its own motion, to raise the issue of its jurisdiction to proceed with a particular case, and shall do so by an appropriate order, affording the parties an opportunity to be heard thereon.

§ 5-60.208 Hearing election.

Upon receipt of the Government's answer, appellant promptly shall advise the Board whether it desires a hearing, as prescribed in § 5-60.217, or whether in the alternative it elects to submit its case on the record without a hearing, as prescribed in § 5-60.211. In appropriate cases, the appellant also shall elect whether it desires the optional accelerated procedure prescribed in § 5-60.212. The Government also shall have the right to request a hearing, and the Board may direct that a hearing be held upon its own motion.

§ 5-60.209 Prehearing briefs.

Based on an examination of the documentation described in the pleadings, and a determination of whether the arguments and authorities addressed to the issues are adequately set forth therein, the Board may, in its discretion, require the parties to submit prehearing briefs in any case in which a hearing has been elected pursuant to § 5-60.208. In the absence of a board requirement

therefor, either party may, in its discretion and upon appropriate and sufficient notice to the party, furnish a prehearing brief to the Board. In any case where a prehearing brief is submitted, it shall be furnished so as to be received by the Board at least 15 days prior to the date set for hearing, and a copy shall simultaneously be furnished to the other party as arranged.

§ 5-60.210 Prehearing conference.

Whether the case is to be submitted pursuant to § 5-60.211, or heard pursuant to § 5-60.217, the Board may upon its own initiative, or upon the application of either party, call upon the parties to appear before a member of the Board for a conference to consider:

- (a) The simplification or clarification of the issues;
- (b) The possibility of obtaining stipulations, admissions, agreements on documents, understandings on matters already of record, or similar agreements which will avoid unnecessary proof;
- (c) The limitation of the number of expert witnesses, or avoidance of similar cumulative evidence, if the case is to be heard;
- (d) The possibility of agreement disposing of all or any of the issues in dispute; and
- (e) Such other matters as may aid in the disposition of the appeal.

The results of the conference shall be reduced to writing by the presiding Board member, and this writing shall thereafter constitute part of the record.

§ 5-60.211 Submission without a hearing.

Where neither party desires a hearing, and the Board does not require one, the Board's decision will be based upon the available record as furnished by the parties.

§ 5-60.212 Optional accelerated procedure.

(a) An appeal involving sums not in excess of \$10,000 shall be handled under this rule at the written request of the appellant and upon concurrence of the Board.

(b) The appeal will be decided on the basis of the available record as furnished by the parties unless a hearing has been requested by either party, or unless the Board orders a hearing.

(c) With the concurrence of the Government, the appeal shall be decided by the chairman of the panel to which the appeal has been assigned. For this purpose, the chairman of the panel is vested with all the authority and power of the full Board to hear, consider, and decide the appeal. At the discretion of the panel chairman, the panel shall participate in the decision.

(d) Under this accelerated procedure, the decision will be issued on an expedited basis, without regard to its normal position on the docket, and will be rendered in summary form unless other action appears indicated.

§ 5-60.213 Closing of the record.

§ 5-60.213-1 Time of submission for decision.

A case submitted on the record pursuant to § 5-60.211 or § 5-60.212 shall be ready for decision when the parties are so notified by the Board. A case which is heard shall be ready for decision upon receipt of transcript, or upon receipt of briefs when briefs are ordered to be submitted by the Board.

§ 5-60.213-2 Record bases for decision.

The record shall consist of the appeal file described in § 5-60.205-1, and any additional material, pleadings, briefs, records of conferences, depositions, interrogatories and answers, admissions, transcripts of hearing and hearing exhibits.

§ 5-60.213-3 Availability of record.

This record will at all times be available for inspection by the parties at the office of the Board. In the interest of convenience, prior arrangements for inspection of the file should be made with the Clerk of the Board. Copies of the material in the record may, if practicable, be furnished to appellant at the cost of reproduction.

§ 5-60.214 Depositions.

§ 5-60.214-1 When permitted.

After an appeal has been docketed, the Board may, upon motion of either party filed with the Board, with notice thereof to the other party, upon good cause shown, order the taking of testimony of any person by deposition upon oral examination or written interrogatories before any officer authorized to administer oaths at the place of examination, for use as evidence or for purpose of discovery.

§ 5-60.214-2 Orders on depositions.

The time, place, and manner of taking depositions shall be governed by order of the Board.

§ 5-60.214-3 Use as evidence.

No testimony taken by deposition shall be considered as part of the evidence in the hearing of an appeal unless and until such testimony is offered and received in evidence at such hearing. Testimony will not ordinarily be received in evidence if the deponent is present and can testify personally at the hearing. In such instance, however, the deposition may be used to contradict or impeach the testimony of the witness given at the hearing. In cases otherwise decided on the record, the Board may, on motion of either party and in its discretion, receive depositions as evidence in supplementation of that record.

§ 5-60.214-4 Expenses.

All expenses of taking the deposition of any person shall be borne by the party taking that deposition, except that the other party shall be entitled to copies of the transcript of the deposition upon paying therefor.

§ 5-60.215 Interrogatories to parties, production and inspection of documents.

§ 5-60.215-1 Interrogatories to parties.

After an appeal has been filed with the Board, a party may serve on the other party written interrogatories to be answered separately in writing, signed under oath and returned within 15 days. Upon timely objection by the party, the Board will determine the extent to which in interrogatories will be permitted. The scope and use of interrogatories will be controlled by § 5-60.214.

§ 5-60.215-2 Production and inspection of documents.

Upon motion of any party showing good cause therefor, and upon notice, the Board may order the other party to produce and permit the inspection and copying or photographing of any designated documents or objects, not privileged, specifically identified, and their relevance and materiality to the cause or causes in issue explained, which are reasonably calculated to lead to the discovery of admissible evidence. If the parties cannot themselves agree thereon, the Board shall specify just terms and conditions of making the inspection and taking the copies and photographs.

§ 5-60.216 Service of papers.

Except where these rules specifically provide for service of documents by the Board, all motions, answers, briefs, notices, and all other papers filed with the Board shall be served by the filing party on the opposing party. Service shall be made by delivering in person or by mailing, properly addressed with postage prepaid, one copy of the document to the opposing party or its counsel. There shall be attached to the original of each document filed with the Board a certificate of service signed by the filing party stating that service has been made.

§ 5-60.217 Hearings.

§ 5-60.217-1 Where and when held.

Hearings ordinarily will be held in Washington, D.C., except that upon request and upon good cause shown, the Board may, in its discretion, set the hearing at another location. Hearings will be scheduled at the discretion of the Board with due consideration to the regular order of appeals and other pertinent factors. On request or motion by either party and upon good cause shown, the Board may, in its discretion, advance or postpone a hearing.

§ 5-60.217-2 Notice of hearings.

The parties shall be given at least 15 days notice of the time and place set for hearings. In scheduling hearing dates, the Board will give due regard to the desires of the parties, and to the requirement for just and inexpensive determination of appeals without unnecessary delay. Notice of hearing shall be acknowledged promptly by the parties. A party failing to acknowledge a notice of hearing shall be deemed to have submitted the case upon the Board record as provided in § 5-60.211.

§ 5-60.217-3 Unexcused absence of a party.

The unexcused absence of a party at the time and place set for hearings will not be occasion for delay. In the event of such absence, the hearing will proceed and the case will be regarded as submitted by the absent party as provided in § 5-60.211.

§ 5-60.217-4 Nature of hearings.

Hearings will be as informal as reasonably permissible, and will seek to provide the Board with the pertinent facts and the positions of the parties as a basis for the Board's decision or recommendation. The parties may offer such relevant evidence or argument as they deem appropriate; subject, however, to the exercise of reasonable discretion by the presiding member of the Board in supervising the extent and manner of presenting such evidence. The weight to be attached to any evidence presented will be determined by the Board.

§ 5-60.217-5 Examination of witnesses.

Witnesses before the Board may be examined orally under oath or affirmation, unless the facts are stipulated, or the presiding Board member shall otherwise order. If the testimony of a witness is not given under oath, the presiding Board member may, if he deems it expedient, warn the witness that his statements may be subject to the provisions of 18 U.S.C. 287 and 1001, and any other provisions of law imposing penalties for knowingly making false representations in connection with claims against the United States or in any matter within the jurisdiction of any department or agency thereof.

§ 5-60.217-6 Copies of papers.

(a) All documents presented to the Board at any stage of an appeal must be submitted in triplicate, including, specifically, all documents offered in evidence at a hearing.

(b) When books, records, papers, or documents have been received in evidence, a true copy thereof, or of such part thereof as may be material or relevant, may be substituted therefor during the hearing or at the conclusion thereof.

§ 5-60.217-7 Posthearing submissions.

Unless otherwise directed by the Board, the parties will submit simultaneous briefs within 30 days of the receipt of the transcript, and reply briefs within 20 days of receipt of the initial briefs.

§ 5-60.217-8 Transcript of proceedings.

Testimony and argument at hearings shall be reported verbatim. Transcripts of the proceedings shall be supplied to the parties at such rates as may be fixed by contract between GSA and the reporting firm.

§ 5-60.217-9 Withdrawal of exhibits.

After a decision has become final, the Board may, upon request and after notice to the other party, in its discretion, permit the withdrawal of original exhibits, or any part thereof, by the party

entitled thereto. The substitution of true copies of exhibits or any part thereof may be required by the Board in its discretion as a condition of granting permission for such withdrawal.

§ 5-60.218 Representation of parties.

§ 5-60.218-1 Representation of appellant.

An appellant may appear before the Board in person or may be represented by counsel or by any other duly authorized representative.

§ 5-60.218-2 Representation of Government.

Counsel designated by the affected GSA service or staff office may represent the interests of GSA before the Board. They shall file notices of appearance with the Board, and notice thereof will be given appellant or his attorney in the form specified by the Board from time to time. Whenever it appears that appellant and GSA counsel are in agreement as to disposition of the controversy, the Board may suspend further processing of the appeal in order to permit reconsideration by the contracting officer; *Provided, however,* That if the Board is advised by either party that the controversy has not been disposed of by agreement, the case shall be restored to the Board's docket.

§ 5-60.219 Decisions.

Decisions of the Board will be made in writing and a certified copy thereof will be forwarded to appellant. Copies also will be sent to GSA counsel and to the interested GSA service or staff office.

§ 5-60.220 Motions for reconsideration.

A motion for reconsideration, if filed by either party, shall set forth specifically the ground or grounds relied upon to sustain the motion and shall be filed within 30 days from the date of the receipt of a copy of the decision of the Board by the party filing the motion. The opposing party has the right to file an answer to such motion within 30 days from the date of receipt of the motion for reconsideration, and either party shall have the right to request an oral argument. Reconsideration of a decision, which may include an oral argument, may be granted if, in the judgment of the Board, sufficient reason therefor appears.

§ 5-60.221 Dismissal without prejudice.

Where appeals docketed before the Board are required to be placed in a suspense status and the Board is unable to proceed with disposition thereof for reasons not within the control of the Board, and in any such case where the suspension has continued, or it appears that it will continue for an inordinate length of time, the Board may, in its discretion, dismiss such appeals from its docket without prejudice to their restoration when the cause of suspension has been removed.

§ 5-60.222 Remands from courts.

Whenever any matter is remanded to the Board from any court for further proceedings, each of the parties shall

within 20 days of such remand, submit a report to the Board, recommending procedures to be followed in order to comply with the court's order. The Board will review the reports and enter special orders governing the handling of matters remanded to it for further proceedings by any court. To the extent the court's directive and time limitations will permit, such orders will conform to these rules.

§ 5-60.223 Standards of conduct.

No member of the Board shall consider an appeal if he has participated in the awarding or administration of the contract in question. There shall be no communication between any party of an appeal and a Board member or Board employee concerning the merits of the appeal, unless such communication (if written) is also furnished to the other party to the appeal or (if oral) is made in the presence of the other party. The Board also shall exercise care to avoid receiving, except as part of the formally established appeal record, any information having a substantial bearing upon an appeal from persons who do not represent a party in the appeal, but nonetheless have an interest in the decision to be rendered.

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

Effective date. The revised rules prescribed by this order shall take effect July 31, 1970. They shall not apply to appeals which have been docketed prior to their effective date, except as otherwise directed by the Board and agreed to by the parties.

Dated: May 21, 1970.

JOHN W. CHAPMAN, JR.,
Acting Administrator.

[F.R. Doc. 70-6648; Filed, May 27, 1970; 8:52 a.m.]

Title 42—PUBLIC HEALTH

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

SUBCHAPTER F—QUARANTINE, INSPECTION, LICENSING

PART 78—REGULATIONS FOR THE ADMINISTRATION AND ENFORCEMENT OF THE RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968

Records and Reports

On December 16, 1969, notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 19720) to amend Part 78 by the addition of Subpart H. This subpart specifies the records that manufacturers of specific types of electronic products must maintain and the reports and information that such manufacturers must provide to the Secretary to enable him to determine whether each manufacturer has acted or is acting in compliance with the Act and any standards prescribed thereunder and

to permit him to carry out the purposes of the Act. The provisions of this subpart also require dealers and distributors of certain electronic products to obtain information deemed necessary to identify and locate, for purposes of section 359 of the Act, the first purchasers of such products.

Interested persons were given the opportunity to participate in the rule making through the submission of comments. On January 9, 1970, the time for submitting comments was extended until February 16, 1970 (35 F.R. 362).

Pursuant to the notices, a number of comments have been received from representatives of domestic and foreign manufacturers of electronic products and other interested persons, and due consideration has been given to all relevant material presented.

In light of the comments, a number of revisions have been made in the rules as proposed: The phrase "excessive radiation occurrence" has been changed to "accidental radiation occurrence" and the definition modified to restrict the reporting requirement to those incidents in which radiation injuries occur, or are alleged to have occurred.

The list of specific products has been divided into three categories, organized on the basis of the need for information. Manufacturers of all listed products are required to submit initial reports, but the requirement for reporting and the maintenance of records has been reduced for certain product groups. Preservation of all records required by this subpart has been limited to 5 years from the date of the records.

Requirements for obtaining and maintaining information by dealers and distributors has been revised to reflect the differences in their responsibilities.

The amendments to Part 78, as set forth below are hereby adopted effective 30 days following the date of their publication in the FEDERAL REGISTER.

Subpart H—Records and Reports

GENERAL PROVISIONS

- Sec.
78.701 Applicability.
78.702 Definitions.
78.703 Records and reports on components.

REPORTS FROM MANUFACTURERS OF ELECTRONIC PRODUCTS

- 78.705 Reporting of accidental radiation occurrences.

REPORTS REQUIRED OF MANUFACTURERS OF LISTED ELECTRONIC PRODUCTS

- 78.710 Initial reports.
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78.712 Annual reports.
78.713 Confidentiality of information.

RECORDS TO BE MAINTAINED BY MANUFACTURERS OF LISTED ELECTRONIC PRODUCTS

- 78.720 Records to be maintained by manufacturers.
78.721 Preservation and inspection of records.

DEALER AND DISTRIBUTOR RECORDS

- 78.730 Records to be maintained by dealers and distributors.
78.731 Records furnished to manufacturers by dealers and distributors.
78.732 Confidentiality of records furnished by dealers and distributors.

EXEMPTIONS

- 78.740 Special exemptions.
78.741 Exemptions for products intended for U.S. Government.

LISTED ELECTRONIC PRODUCTS

- 78.750 List of specific product groups.

AUTHORITY: The provisions of this Subpart H issued under sec. 360A, 82 Stat. 1182; 42 U.S.C. 2631.

Subpart H—Records and Reports

GENERAL PROVISIONS

§ 78.701 Applicability.

The provisions of this subpart are applicable to manufacturers, dealers, and distributors of electronic products as specified herein, but, except for § 78.705, are not applicable to:

(a) Manufacturers of electronic products intended solely for export if such product is labeled or tagged to show that the product is intended for export, and the product meets all the applicable requirements of the country to which such product is intended for export, and

(b) Manufacturers of listed products sold exclusively to other manufacturers for use as components of electronic products to be sold to purchasers.

§ 78.702 Definitions.

As used in this subpart:

(a) The term "dealer" means a person engaged in the business of offering electronic products for sale to purchasers, without regard to whether such person is or has been primarily engaged in such business, and includes persons who offer such products for lease or as prizes or awards.

(b) The term "distributor" means a person engaged in the business of offering electronic products for sale to dealers without regard to whether such person is or has been primarily or customarily engaged in such business.

(c) The term "purchaser" means the first person who, for value, or as an award or prize, acquires an electronic product for purposes other than resale, and also includes a person who leases an electronic product for purposes other than subleasing.

(d) The term "accidental radiation occurrence" means a single event or series of events occurring in the course of the manufacturing, testing, or use of any electronic product which has resulted in injurious or potentially injurious exposure of any person to electronic product radiation as a direct result of the manufacturing, testing, or use of that product.

(e) The term "model" means any identifiable, unique electronic product design, and refers to products having the same structural and electrical design characteristics and to which the manufacturer has assigned a specific designation to differentiate between it and other products produced by that manufacturer.

§ 78.703 Records and reports on components.

Records and reports required for products listed in § 78.750 shall include information on all components which the

manufacturer may provide with the listed product and which affect the quantity, quality, or direction of the radiation emissions.

REPORTS FROM MANUFACTURERS OF ELECTRONIC PRODUCTS

§ 78.705 Reporting of accidental radiation occurrences.

(a) Manufacturers of electronic products shall, where reasonable grounds for suspecting that such an incident has occurred, immediately report to the Director, Bureau of Radiological Health, all accidental radiation occurrences reported to or otherwise known to the manufacturer and arising from the manufacturing, testing, or use of any product introduced or intended to be introduced into commerce by such manufacturer. Reasonable grounds include, but are not necessarily limited to, professional, scientific, or medical facts or opinions documented or otherwise, that conclude or lead to the conclusion that such an incident has occurred.

(b) Such reports shall be addressed to the Director, Bureau of Radiological Health, 5600 Fishers Lane, Rockville, Md. 20852, and the reports and their envelopes shall be distinctly marked "Report on § 78.705" and shall contain all of the following information where known to the manufacturer:

(1) The nature of the accidental radiation occurrence;

(2) The location at which the accidental radiation occurrence occurred;

(3) The manufacturer, type, and model number of the electronic product or products involved;

(4) The circumstances surrounding the accidental radiation occurrence, including causes;

(5) The number of persons involved, adversely affected, or exposed during the accidental radiation occurrence, the nature and magnitude of their exposure and/or injuries and, if requested by the Director, Bureau of Radiological Health, the names of the persons involved;

(6) The actions, if any, which may have been taken by the manufacturer, to control, correct, or eliminate the causes and to prevent recurrence; and

(7) Any other pertinent information with respect to the accidental radiation occurrence.

REPORTS REQUIRED OF MANUFACTURERS OF LISTED ELECTRONIC PRODUCTS

§ 78.710 Initial reports.

Every manufacturer of a product listed under § 78.750, shall submit an initial report to the Director, Bureau of Radiological Health, 5600 Fishers Lane, Rockville, Md. 20852, in accordance with this section. The report shall be submitted within 90 days following the effective date of this subpart or prior to the introduction of such product into commerce, whichever is later. The report shall be distinctly marked "Initial Report of (Name of Manufacturer)" and shall:

(a) State in the report for each model of a listed product whether the report is submitted pursuant to paragraph (a), (b), or (c) of § 78.750.

(b) Identify each model of the listed product together with sufficient information concerning the manufacturer's code or other system of labeling sufficient to enable the Secretary to determine the date and place of manufacture.

(c) Describe the function, operational characteristics affecting radiation emissions, and intended and known uses of each model of the listed product.

(d) State the standards or design specifications, if any, for each model with respect to electronic product radiation safety. Reference may be made to a Federal standard, if applicable.

(e) For each model, describe the physical or electrical characteristics such as shielding, or electronic circuitry, etc., incorporated into the product in order that the standards or specifications reported pursuant to paragraph (d) of this section are met.

(f) Describe the methods and procedures employed, if any, in testing and measuring each model with respect to electronic product radiation safety including the control of unnecessary, secondary, or leakage electronic product radiation, the applicable quality control procedures used for each model, and the basis for selecting such testing and quality control procedures.

(g) For those products which may produce increased radiation with aging, describe the methods and procedures used, and frequency of testing each model for durability and stability with respect to electronic product radiation safety. Include the basis for selecting such methods and procedures, or for determining that such testing and quality control procedures are not necessary.

(h) Report for each model, all warning signs, labels and instructions, for installation, operation, and use which relate to electronic product radiation safety.

§ 78.711 Reports of model changes.

Prior to the introduction into commerce of a new or modified model of a product listed in § 78.750 for which an initial report under § 78.710 was required, each manufacturer shall submit a report with respect to such new or modified model containing any changes in the information submitted in the initial report.

§ 78.712 Annual reports.

(a) Every manufacturer of products listed under § 78.750 (b) and (c) shall submit an annual report summarizing the contents of the records required to be maintained by § 78.720 (a).

(b) The first annual report shall be submitted by September 1, 1971, with subsequent reports due annually thereafter. Such reports shall cover the 12-month period ending on June 30, 1971, preceding the due date of report.

§ 78.713 Confidentiality of information.

The Secretary or his representative shall not disclose any information reported to or otherwise obtained by him, pursuant to this subpart, which concerns or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, except that

such information may be disclosed to other officers or employees of the Department and of the other agencies concerned with carrying out the requirements of the Act. Nothing in this section shall authorize the withholding of information by the Secretary, or by any officers or employees under his control, from the duly authorized committees of the Congress.

RECORDS TO BE MAINTAINED BY MANUFACTURERS OF LISTED ELECTRONIC PRODUCTS

§ 78.720 Records to be maintained by manufacturers.

(a) Manufacturers of products listed under paragraphs (b) and (c) of § 78.750 shall establish and maintain the following records with respect to such products:

(1) Description of the quality control procedures with respect to electronic product radiation safety.

(2) Records of the results of tests for electronic product radiation safety, including the control of unnecessary, secondary or leakage electronic product radiation, the methods, devices, and procedures used in such tests, and the basis for selecting such methods, devices, and procedures.

(3) For those products displaying aging effects which may increase electronic product radiation emission, records of the results of tests for durability and stability of the product, and the basis for selecting these tests.

(4) Copies of all written communications between the manufacturer and dealers, distributors, and purchasers concerning radiation safety including complaints, investigations, instructions, or explanations affecting the use, repair, adjustment, maintenance, or testing of the listed product.

(b) In addition to the records required by paragraph (a) of this section, manufacturers of products listed in paragraph (c) of § 78.750 shall establish and maintain the following records with respect to such products:

(1) A record of the manufacturer's distribution of products in a form which will enable the tracing of specific products or production lots to distributors or to dealers, in those instances in which the manufacturer distributes directly to dealers.

(2) Records received from dealers or distributors pursuant to § 78.731.

§ 78.721 Preservation and inspection of records.

(a) Every manufacturer required to maintain records pursuant to this subpart, including records received pursuant to § 78.731, shall preserve such records for a period of 5 years from the date of the record.

(b) Upon reasonable notice by an officer or employee duly designated by the Department, manufacturers shall permit such officer or employee to inspect appropriate books, records, papers, and documents as are relevant to determining whether the manufacturer has acted or is acting in compliance with Federal standards.

(c) Upon request of the Director, Bureau of Radiological Health, a manufacturer of products listed in paragraph (c) of § 78.750 shall submit to the Director, copies of the records required to be maintained by paragraph (b) of § 78.720.

DEALER AND DISTRIBUTOR RECORDS

§ 78.730 Records to be maintained by dealers and distributors.

(a) Dealers and distributors of electronic products listed in paragraph (c) of § 78.750, for which there are applicable Federal standards under this part, and for which the retail price is not less than \$50, shall obtain and preserve for a period of 5 years from the date of the sale, award, or lease of each such product such information as is necessary to permit tracing of specific products to specific purchasers.

(b) Such information shall include:

- (1) The name and mailing address of the distributor, dealer, or purchaser to whom the product was transferred.
- (2) Identification and brand name of the product.
- (3) Model number and serial or other identification number of the product.
- (4) Date of sale, award, or lease.

§ 78.731 Records furnished to manufacturers by dealers and distributors.

(a) Information obtained by dealers and distributors pursuant to § 78.730 shall immediately be forwarded to the appropriate manufacturer unless:

(1) The dealer or distributor elects to hold and preserve such information and to immediately furnish it to the manufacturer when advised by the manufacturer or the Director, Bureau of Radiological Health, that such information is required for purposes of section 359 of the Act; and

(2) The dealer or distributor, upon making the election under subparagraph (1) of this paragraph, promptly notifies the manufacturer and the Director, Bureau of Radiological Health, of such election; such notification shall be in writing and shall identify the dealer or distributor and the electronic product or products for which the information is being accumulated and preserved.

(b) Every dealer or distributor obtaining information pursuant to this subpart shall take such steps as are necessary to insure that such information is furnished to the manufacturer prior to the time the dealer or distributor discontinues the dealing in or distribution of electronic products.

§ 78.732 Confidentiality of records furnished by dealers and distributors.

All information furnished to manufacturers by dealers and distributors pursuant to this subpart shall be treated by such manufacturers as confidential information which may be used only as necessary to notify persons pursuant to section 359 of the Act.

EXEMPTIONS

§ 78.740 Special exemptions.

(a) Manufacturers of electronic products listed under paragraphs (b) and (c) of § 78.750 may submit to the Director, Bureau of Radiological Health, with or

subsequent to the submission of the initial report required by § 78.710, a request, together with accompanying justification, that a product be exempted from the annual reporting and recordkeeping requirements. In addition to other information which may be required, the justification must contain documented evidence showing that the product or product type for which the exemption is requested:

(1) Cannot emit electronic product radiation in sufficient intensity or of such quality under any conditions of use or product failure to be hazardous; or

(2) Is produced in such small numbers as to negate the need for continuous recordkeeping and reporting, and is to be used by trained individuals who are knowledgeable of the hazards involved in such use.

(b) The Director, Bureau of Radiological Health, may exempt manufacturers from all or part of the record and reporting requirements of this subpart on the basis of information submitted in accordance with paragraph (a) of this section or such other information which he may possess or may require of the manufacturer if he determines that such exemption is in keeping with the purposes of the Act.

§ 78.741 Exemptions for products intended for the U.S. Government.

Upon application therefore by the manufacturer, the Director, Bureau of Radiological Health, may exempt from the provisions of this subpart any electronic product intended for use by departments or agencies of the United States provided such department or agency has prescribed procurement specifications governing emissions of electronic product radiation and provided further that such product is of a type used solely or predominantly by departments or agencies of the United States.

LISTED ELECTRONIC PRODUCTS

§ 78.750 List of specific product groups.

(a) *Group A.* (1) Lasers and products containing lasers which have a reporting index number *N*, less than one (1). Reporting index numbers shall be calculated in accordance with Appendix A.

(2) Ultrasonic products.

(3) Microwave heating equipment not listed in paragraph (c) of this section.

(4) High voltage vacuum switches, high voltage rectifier tubes, shunt regulator tubes, and cathode ray tubes which are intended to be operated at voltages greater than 5,000 volts but less than 15,000 volts.

(b) *Group B.* (1) Television receivers which, on or after the effective date of this subpart, meets the Federal standard in effect on June 1, 1971, provided also that the voltage on the cathode ray tube and any other vacuum tube component cannot exceed 15,000 volts under the test conditions required by the Federal standard at that time.

(2) High voltage vacuum switches, high voltage rectifier tubes, shunt regulator tubes, and cathode ray tubes, which are intended to operate at voltages of 15,000 volts or greater.

(c) *Group C.* (1) Products subject to Federal standards prescribed under subpart C of this Part 78 except for television receivers described in paragraph (b) (1) of this section.

(2) Products which are intended to produce x radiation.

(3) Microwave ovens intended to be used in homes, restaurants, food vending or service establishments, on interstate carriers and in similar locations.

(4) Microwave diathermy machines.

(5) Lasers and products or devices containing lasers which have a reporting index number of *N*, equal to or greater than one (1). Reporting index numbers shall be calculated in accordance with Appendix A.

APPENDIX A—LASER REPORTING INDEX NUMBER

(a) For laser products, the reporting index number *N*, shall be calculated using the relation $N=BU/A$. The appropriate value of *B* may be determined from Table 1 for a given wave-length. *U* is the radiant energy in joules (*J*). For continuous operation, *U* is the radiant energy per second in the laser emission. For single pulse operation, *U* is the true radiant energy per pulse. For repetitively pulsed lasers, reporting index numbers will be computed using both energy per pulse and energy per second. When computing the reporting index number using energy per pulse, that value of *B* corresponding to the pulse duration of the laser emission in Table 1 will be used. When computing the reporting index number using energy per second, that value of *B* found in the column "continuous to 0.1 sec" of Table 1 will be used.

(b) *A*, as used in the relation above, is the actual beam area in square centimeters. For parallel or divergent beams, *A* is measured at 30 centimeters (cm) from the permanent instrument housing¹ at the points of closest approach to the exit port or ports of the laser beam; for convergent beams, *A* is measured at that distance from the permanent instrument housing which results in a value of *N* which is maximal.

(c) If more than one value of *N* can be determined for a given product, the largest value shall be used for reporting purposes. When simultaneous emission of more than one wavelength occur, an individual reporting index number shall be calculated for each wavelength. The sum of the individual reporting index numbers shall be used as the reporting index number for the product. Where *N* cannot be calculated, a reporting index number of 1,000 shall be used.

TABLE 1

Wavelength in micrometers	Values of B for different laser pulse durations		
	Continuous to 0.1 sec	0.1 to 10 ⁻⁴ sec	Less than 10 ⁻⁴ sec
0.40-0.70 μm	23,000	160,000	2,000,000
0.80-0.99	8,700	26,000	320,000
1.00-1.19	1,100	8,000	100,000
1.20-1.39	100	670	8,000
1.40-1.60	2	17	200
Greater than 1.60	1	10	100

Approved:

RAYMOND T. MOORE,
Acting Commissioner, Environmental Control Administration.

[F. R. Doc 70-6172; Filed May 27, 1970; 8:45 a.m.]

¹ "Permanent instrument housing" means that exterior part of the product, without which the laser beam cannot be produced.

Title 45—PUBLIC WELFARE

Chapter II—Social and Rehabilitation Service (Assistance Programs), Department of Health, Education, and Welfare

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

Methods for Determination of Eligibility

Section 205.20(a) (2) is revised to read as follows:

§ 205.20 Methods for determination of eligibility.

(a) * * *

(2) Effective July 1, 1970, with respect to OAA, AB, APTD, and AABD:

(i) The simplified method for determination of eligibility will be used for applications for and redeterminations of assistance.

(ii) The State will use the simplified method on a progressive basis and will increase the number of areas in the State using the system on a planned schedule which will achieve State-wide operation no later than July 1, 1971.

(iii) The State will develop a plan to be carried out over a period ending July 1, 1973, which shall be directed to:

(a) Simplification of eligibility and procedural requirements.

(b) Simplification of forms.

(c) Modernization of the payment mechanism.

(d) Appropriate training and utilization of staff.

(e) Use of the State Technical Consultation Panel.

A regulation will be issued, with prospective effective date, regarding State-wide use of the simplified method in AFDC and MA, when the Secretary determines that the results from the test in those programs support the overall effectiveness of the method on a permanent basis.

(Sec. 1102, 49 Stat. 647; 42 U.S.C. 1302)

Effective date. This revision shall be effective on the date of its publication in the FEDERAL REGISTER.

Dated: February 26, 1970.

JOHN D. TWINAME,
Acting Administrator, Social
and Rehabilitation Service.

Approved: May 19, 1970.

ROBERT H. FINCH,
Secretary.

[F.R. Doc. 70-6527; Filed, May 27, 1970;
8:45 a.m.]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 22; Amdt. 71-10]

PART 71—STANDARD TIME ZONE BOUNDARIES

Operating Exception for Texas-New Mexico Railway Company in Lea County, New Mexico

The purpose of this amendment to Part 71 of Title 49 of the Code of Federal Regulations is to add an operating exception for the Texas-New Mexico Railway Company to the list of operating exceptions permitting certain railroad operations crossing the mountain-central time zone boundary into the mountain time zone to be conducted on central time. The exception will permit operation on central time in Lea County, New Mexico, from the Texas-New Mexico State line to Lovington, New Mexico.

In its application for the operating exception, the Texas and Pacific Railway Company (parent corporation of the Texas-New Mexico Railway Company) stated:

Texas-New Mexico Railway Company is a wholly owned subsidiary of The Texas and Pacific Railway Company, which operates from Monahans, Texas, northerly into Lea County, New Mexico. The only junction of the Texas-New Mexico Railway Company is with The Texas and Pacific Railway Company at Monahans. The operations of the Texas-New Mexico Railway Company are coordinated with the operations of The Texas and Pacific Railway Company, and virtually all of the traffic moving to or from the Texas-New Mexico Railway Company points has a prior or subsequent haul by The Texas and Pacific Railway Company. The crews and the equipment operating over the Texas-New Mexico Railway Company are stationed in Monahans, Texas, and the convenience of the commerce and of the existing junction point of the common carriers involved warrants a modification of the time zone so as to permit the operations of the Texas-New Mexico Railway Company in Lea County, New Mexico to be governed by Central Standard Time rather than Mountain Standard Time.

Since this amendment involves only the internal operations of the Texas-New Mexico Railway Company, I find that notice and public procedure thereon are impractical and that good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, subparagraph (2) of § 71.6(f) of Title 49 of the Code of Federal Regulations is amended by adding the following at the end thereof:

§ 71.6 Boundary line between central and mountain zones.

(f) Operating exceptions. * * *

(2) Lines west of boundary included in central zone. * * *

Railroad	From—	To—
***	***	***
Texas-New Mexico	Texas-New Mexico State line.	Lovington, N. Mex.

(Act of March 19, 1918, as amended by Uniform Time Act of 1966, 15 U.S.C. 260-267; section 6(e)(5), Department of Transportation Act, 49 U.S.C. 1655(e)(5); section 1.59(b), Regulations of Office of Secretary of Transportation, 49 CFR 1.59(b))

Issued in Washington, D.C., on May 25, 1970.

JAMES A. WASHINGTON, Jr.,
General Counsel.

[F.R. Doc. 70-6618; Filed, May 27, 1970;
8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER H—EASTERN PACIFIC TUNA FISHERIES

PART 280—YELLOWFIN TUNA

Restrictions Applicable to Fishing Vessels

A notice of proposed rule making was published May 13, 1970 (35 F.R. 7438), to amend Part 280, Title 50, Code of Federal Regulations, which are the regulations governing the eastern Pacific yellowfin tuna fisheries.

Interested persons were given the opportunity to participate through a public hearing at San Diego on May 20, 1970, and through submission of written material which was accepted through May 25, 1970. Public testimony and written briefs were in substantive agreement with the proposals. The amendments are therefore adopted, with one exception, as published with minor editorial changes under authority contained in subsection (c) of section 6 of the Tuna Conventions Act of 1950 as amended (16 U.S.C. 955(e)). The exception is § 280.6(c)(4) in which the restrictions under which bait boats may take the 2000 short tons of yellowfin have been changed to eliminate the words "or 130 short tons, whichever is the lesser amount."

Effective date. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER and shall be applicable to all vessels including those at sea.

Issued at Washington, D.C. pursuant to authority delegated to me by the Secretary of the Interior on August 26, 1966 (31 F.R. 11685), and dated May 25, 1970.

PHILIP M. ROEDEL,
Director,
Bureau of Commercial Fisheries.

The amendments are described below:
Paragraph (c) of § 280.6 is revised to read as follows:

§ 280.6 Restrictions applicable to fishing vessels.

(c) Any master or other person in charge of a fishing vessel which has departed port after the date of the closure of the yellowfin season may land in any port or place yellowfin tuna as provided for in subparagraphs (1), (2), (3), and (4) of this paragraph: *Provided*, That the Director by appropriate notice in the FEDERAL REGISTER may adjust the incidental catch rates provided for in subparagraphs (1), (2), (3), and (4) of this paragraph to assure that the various allotments designated for certain vessels are not underutilized and the 15 percent overall incidental catch is not exceeded. Any quantity of yellowfin tuna landed in excess of the limitations provided for in subparagraphs (1), (2), (3), and (4) of this paragraph shall be subject to seizure pursuant to section 10(c) of the Tuna Conventions Act of 1950, as amended (16 U.S.C. 959(c)).

(1) Purse seiners of over 400 short tons capacity may land in any port or place yellowfin tuna taken as an incident to fishing for those species listed in § 280.2(b)(3), but in no event shall the yellowfin tuna be permitted to be landed by such vessels exceed 15 percent (15%) by round weight when included with those species listed in § 280.2(b)(3).

(2) Purse seiners of 301 to 400 short tons carrying capacity inclusive may land in any port or place yellowfin tuna taken as an incident to fishing for those species listed in § 280.2(b)(3), but in no event shall the yellowfin tuna so permitted to be landed by such vessel exceed 30 percent (30%) by round weight when included with those species listed in § 280.2(b)(3): *Provided*, That when the catch of yellowfin tuna by purse seiners of 301 to 400 short tons capacity, inclusive, reaches 1,000 tons the incidental rate for those vessels will revert to 15 percent (15%). A notice of reversion which will apply to purse seiners of 301 to 400 short tons, inclusive, leaving port after a selected date will be published in the FEDERAL REGISTER.

(3) Purse seiners of 300 short tons carrying capacity or less may land in any port or place yellowfin tuna taken as an

incident to fishing for those species listed in § 280.2(b)(3), but in no event shall the yellowfin tuna so permitted to be landed by such vessel exceed 40 percent (40%) by round weight when included with those species listed in § 280.2(b)(3). However, those purse seiners of 300 short tons capacity or less known as local wetfish boats may accumulate the 40 percent (40%) allowance by weight for incidental catches of yellowfin tuna for the separate period from the closure date until the end of that month, and for each separate period consisting of one calendar month thereafter. Wetfish boats to qualify, may not have delivered any yellowfin tuna during the open yellowfin tuna fishing season and must make deliveries on a daily basis: *Provided*, That when the catch of yellowfin tuna by purse seiners of 300 short tons carrying capacity or less reaches 4,500 tons the incidental rate for those vessels will revert to 15 percent (15%). A notice of reversion which will apply to purse seiners of 300 short tons of capacity or less leaving port after a selected date will be published in the FEDERAL REGISTER.

(4) Bait boats may land in any port or place yellowfin tuna not to exceed 50 percent (50%) by round weight of the vessel's carrying capacity in short tons: *Provided*, That when the catch of yellowfin tuna by bait boats reaches 2,000 short tons, the incidental catch rate for those vessels of yellowfin tuna will revert to 15 percent (15%) of yellowfin taken as an incident to fishing for those species listed in § 280.2(b)(3). A notice of reversion which will apply to bait boats leaving port after a selected date will be published in the FEDERAL REGISTER.

(5) The short ton capacity of vessels shall be determined from tables prepared by the Commission which relate carrying capacity to gross and/or net tonnage and from official unloading records available to the Bureau of Commercial Fisheries. Managing owners of purse seine vessels between 301 to 400 short tons carrying capacity, inclusive, will be notified by registered mail that their vessel is in that category and is therefore subject to the provisions of subparagraph (2) of this paragraph. Managing owners of vessels of 300 short tons or less carrying capacity will be notified by registered mail that their vessel is in this category and is therefore subject to the provisions of subparagraph (3) of this paragraph.

Managing owners not receiving such notification by registered mail can assume that their vessel is in the category of over 400 short tons carrying capacity and is therefore subject to the provisions of subparagraph (1) of this paragraph. Except that to qualify for the bait boat yellowfin allocation described in subparagraph (4) of this paragraph, managing owners of bait boats will supply the Regional Director documentation concerning the gross and net tonnage of their vessels together with records of prior unloadings. This information, together with tables supplied by the Commission which relate to gross and/or net tonnage and from official records available to the Bureau of Commercial Fisheries will be used by the Regional Director to establish the carrying capacity of each vessel. Failure to comply will result in such vessels being limited to a 15 percent (15%) incidental catch of yellowfin taken as an incident to fishing for those species listed in § 280.2(b)(3). This incidental rate will remain in effect for such vessels until the above documentation is supplied and the vessel's capacity determined.

(6) Any vessel may catch yellowfin tuna without restriction during the closed season provided such tuna is landed in a country with tuna canning facilities and which accepts the Commission's recommendations and provided further that prior to departing on the voyage on which yellowfin tuna is caught that the managing owner of the vessel making such voyage receives from the Regional Director a letter granting permission for his vessel to land such yellowfin tuna in such country. Those seeking permission for their vessel to land such yellowfin tuna in such country shall forward to the Regional Director a letter from the Minister of Fisheries or the Minister of Agriculture of the country in which such yellowfin tuna will be landed certifying that such country has agreed to purchase such yellowfin tuna and that the maximum amount of yellowfin tuna could be landed by such vessel, assuming that the vessel's entire capacity is filled with yellowfin tuna, would not cause the total amount of yellowfin tuna landed in such country to exceed 1,000 short tons.

[F.R. Doc. 70-6617; Filed, May 27, 1970; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 1]

GREENVILLE-SPARTANBURG, S.C.

Notice of Proposed Designation As Customs Port of Entry

MAY 15, 1970.

In order to provide better Customs service in the Charleston, South Carolina, Customs district, it is considered desirable to designate Greenville-Spartanburg, South Carolina, as a port of entry. Therefore, notice is hereby given that under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authorization provided by Treasury Department Order No. 190, Rev. 7 (34 F.R. 15846), it is proposed to designate Greenville-Spartanburg, South Carolina, as a Customs port of entry in the Charleston, South Carolina, Customs district (Region IV).

The geographical limits of the port of Greenville-Spartanburg are described as follows:

Beginning at a point on the Greenville-Spartanburg County line on South Carolina Route 296; thence continuing on S.C. 296 northeasterly to S.C. 295; thence turning southerly and continuing on S.C. 295 to S.C. 56; thence turning northerly and continuing on S.C. 56 to the boundary of the City of Spartanburg; thence turning northeasterly and continuing in a northerly direction following the eastern boundary line of the City of Spartanburg to Drayton Street; thence turning northwesterly and continuing on Drayton Street to S.C. 31; thence turning northeasterly and continuing on S.C. 31 to the Clinchfield Railroad tracks; thence turning northeasterly continuing on the Clinchfield Railroad to Interstate 85; thence turning southwesterly and continuing on Interstate 85 to U.S. 176; thence turning northwesterly and continuing on U.S. 176 to State Route 60; thence turning westerly and continuing on State Route 60 to State Route 41; thence turning southerly and continuing on State Route 41 to Interstate 85; thence turning westerly and continuing on Interstate 85 to U.S. 29; thence turning westerly and continuing on U.S. 29 to S.C. 21; thence in a westerly direction along S.C. 21, to its intersection with S.C. 291. Thence in a northwesterly direction along S.C. 291, to S.C. 253; thence in a westerly and southwesterly direction along S.C. 253 to S.C. 250. Thence in a southerly direction and south-easterly direction along S.C. 250, to U.S. 25; thence in a southerly direction along U.S. 25, to Ashmore Branch Road. Thence in an easterly direction along Ashmore Branch Road to Fork Shoals Road; thence in a northerly direction along Fork Shoals Road,

to Ashmore Branch Road; thence in an easterly direction along Ashmore Branch Road, to the corporate limits of the Town of Mauldin. Thence in an easterly and south-easterly direction paralleling the corporate limits of the Town of Mauldin to Bethel Church Road. Thence continuing in a north-easterly direction along Bethel Church Road to S.C. 14. Thence in a northerly direction along S.C. 14 to S.C. 296, thence in an easterly direction along S.C. 296, to the Greenville-Spartanburg County line.

Data, views, or arguments with respect to the proposed designation of the above-described Customs port of entry may be addressed to the Commissioner of Customs, Washington, D.C. 20226. To insure consideration of such communications, they must be received in the Bureau not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary.

[F.R. Doc. 70-6641; Filed, May 27, 1970;
8:45 a.m.]

[19 CFR Part 1]

LITTLE ROCK-NORTH LITTLE ROCK, ARK.

Notice of Proposed Designation as Customs Port of Entry

MAY 15, 1970.

In order to provide better Customs service in the New Orleans, Louisiana, Customs district, it is considered desirable to designate Little Rock-North Little Rock, Arkansas, as a port of entry. Therefore, notice is hereby given that under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authorization provided by Treasury Department Order No. 190, Rev. 7 (34 F.R. 15846), it is proposed to designate Little Rock-North Little Rock, Arkansas, as a Customs port of entry in the New Orleans, Louisiana, Customs district (Region V).

The geographical limits of the proposed port of entry, Little Rock-North Little Rock, Arkansas, include all the area within the boundaries of Pulaski and Saline counties, Arkansas.

Data, views, or arguments with respect to the proposed designation of the above-described Customs port of entry may be addressed to the Commissioner of Customs, Washington, D.C. 20226. To insure consideration of such communications, they must be received in the Bureau not later than 30 days from the date of publication of this notice in the

FEDERAL REGISTER. No hearing will be held.

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary.

[F.R. Doc. 70-6642; Filed, May 27, 1970;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Packers and Stockyards
Administration

[9 CFR Part 201]

LIVESTOCK AND LIVE POULTRY Payment and Accounting

Notice is hereby given that pursuant to section 407(a) of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 228), the Packers and Stockyards Administration proposes to amend § 201.43 (b) and (c) of the regulations under the Packers and Stockyards Act (9 CFR 201.43) regarding payment and accounting for livestock.

Statement of considerations. Paragraph (b) was added to § 201.43 of the regulations effective March 15, 1964 (29 F.R. 1796), to require purchasers to pay promptly for livestock. It also provided that agreements between sellers and buyers to defer payment shall be disclosed in the purchaser's records and on accountings or other documents issued by the purchaser relating to the transaction. Paragraph (c) was added to § 201.43 of the regulations effective April 1, 1965 (30 F.R. 2207), to require purchasers to promptly reimburse agents. It also provided that agreements between agents and principals to defer payment shall be disclosed in the records of the principal.

Some market agencies and dealers selling livestock, and some agents buying livestock for principals, have interpreted these provisions to mean that they were relieved from showing information concerning credit extensions in their own records. The recordkeeping provisions of section 401 of the Packers and Stockyards Act (7 U.S.C. 221) were not abated by the amendments to the regulation. Therefore, in order to clarify this matter, it is proposed to amend the last sentence of paragraph (b) and the last sentence of paragraph (c) of § 201.43 to read as follows:

§ 201.43 Payment and accounting for livestock and live poultry.

(b) *Purchasers to pay promptly for livestock.* . . . Any such agreement shall be disclosed in the records of any market agency or dealer selling the livestock, and in the purchaser's records and on the accountings or other documents

issued by the purchaser relating to the transaction.

(c) *Purchasers to promptly reimburse agents.* * * * any such agreement shall be disclosed in the records of the principal and in the records of any market agency or dealer acting as such agent.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 60 days from the publication of this notice in the FEDERAL REGISTER.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 22d day of May 1970.

DONALD A. CAMPBELL,
Administrator.

[F.R. Doc. 70-6639; Filed, May 27, 1970; 8:51 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary
[29 CFR Part 60]

IMMIGRATION

Physicians and Surgeons

Pursuant to section 212(a) (14) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. 1182), I hereby propose to revise Group I of Schedule A immediately following § 60.6 of Title 29, Code of Federal Regulations, as set forth below.

Any person interested in this proposal may file a written statement of data, views, or argument regarding it with the Secretary of Labor, U.S. Department of Labor, Washington, D.C. 20210, within 15 days after this notice is published in the FEDERAL REGISTER.

The aforesaid Group I of Schedule A would be revised to read as follows:

SCHEDULE A

Group I. Persons who received an advanced degree in a particular field of study from an institution of higher learning accredited in the country where the degree was obtained (comparable to a Ph. D. or master's degree given in American colleges or universities), other than physicians and surgeons whose medical degree or qualification was conferred by a medical school outside the United States.

Physicians and surgeons whose medical degrees or qualifications were conferred by a medical school outside the United States who (a) submit evidence from the licensing authority of the State of the alien's intended employment that, excluding any internship or residency requirements, the aliens have met all of the educational requirements for licensure or for admittance to the licensure examination in that State and, when medical internship or residency is required, submit evidence from an institution providing such medical internship or residency that the aliens have met all of the educational re-

quirements; or (b) submit evidence of intent to engage in medical teaching, research or laboratory work that will not involve direct patient care.

(79 Stat. 911; 8 U.S.C. 1182)

Signed at Washington, D.C., this 22d day of May 1970.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 70-6584; Filed, May 27, 1970; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 70-SW-32]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the San Antonio, Tex., transition area.

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

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

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

In § 71.181 (35 F.R. 2134), the San Antonio, Tex., transition area is amended to read:

SAN ANTONIO, TEX.

That airspace extending upward from 700 feet above the surface bounded by a line beginning at Lat. 29°22'30" N, Long. 97°47'00" W, thence W via Lat. 29°22'30" N to and clockwise along the arc of a 23-mile radius circle centered at Lat. 29°31'50" N, Long. 98°28'12" W to Lat. 29°13'15" N, Long. 98°20'00" W, thence SE to Lat. 29°05'30" N, Long. 98°14'30" W, thence SW to Lat.

29°01'40" N, Long. 98°21'40" W, thence NW to Lat. 29°06'30" N, Long. 98°34'10" W, thence N to the 23-mile radius circle at Lat. 29°12'00" N, Long. 98°32'40" W, thence clockwise along the arc of the 23-mile radius circle to Lat. 29°46'30" N, Long. 98°12'30" W, thence to Lat. 29°43'00" N, Long. 98°01'30" W, thence to point of beginning, and within 5 miles NE and 8 miles SW of the La Vernia VOR 149° radial extending from the VOR to 12 miles SE.

The proposed transition area will provide controlled airspace protection for aircraft executing a revised instrument approach procedure to Stinson Municipal Airport at San Antonio, Tex. The required 1,200-foot portion of the transition area is included in the proposed Texas transition area, a separate proposal.

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

Issued in Fort Worth, Tex., on May 18, 1970.

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

[F.R. Doc. 70-6585; Filed, May 27, 1970; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-CE-14]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration; Supplemental Notice

In a notice of proposed rule making published in the FEDERAL REGISTER on March 21, 1970 (35 F.R. 4966, 4967), F.R. Doc. 70-3415, the Federal Aviation Administration proposed to alter the Salina, Kansas, control zone and transition area.

Subsequent to publication of the Notice, the Agency has determined that additional controlled airspace is needed in the Salina, Kansas, terminal area for radar vectoring purposes. Therefore, it is necessary to issue a supplemental notice of proposed rule making redesignating the Salina, Kansas, transition area in order to provide this additional controlled airspace. The Salina, Kansas, control zone designation as proposed in the notice remains unchanged.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Missouri, 64106. All communications received within 45 days after publication of this supplemental notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with the Federal Aviation Administration officials may be made by

PROPOSED RULE MAKING

[14 CFR Part 71]

[Airspace Docket No. 70-SO-41]

TRANSITION AREA

Proposed Alteration

contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with the supplemental notice in order to become part of the record for consideration. The proposal contained in this supplemental notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Missouri 64106.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations by altering the Salina, Kansas, control zone and transition area as hereinafter set forth:

(1) In § 71.171 (35 F.R. 2054), the following control zone is amended to read:

SALINA, KANSAS

Within a 5-mile radius at Salina Municipal Airport (latitude 38°48'40" N.; longitude 97°39'30" W.); within 1½ miles each side of the Salina VORTAC 192° radial, extending from the 5-mile radius zone to the VORTAC and within 2 miles each side of the Salina ILS localizer S course, extending from the 5-mile radius zone to 2½ miles N of the OM.

(2) In § 71.181 (35 F.R. 2134), the following transition area is amended to read:

SALINA, KANSAS

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Salina Municipal Airport (latitude 38°47'40" N.; longitude 97°39'40" W.); within 4½ miles W and 9½ miles E of the Salina ILS localizer course, extending from 3 miles N to 18½ miles S of the ILS OM; and within 3 miles each side of the Salina VORTAC 012° radial extending from the 9-mile radius area to 8 miles N of the VORTAC, excluding the portion which overlies restricted area R-3601 and the McPherson, Kansas 700 foot floor transition area; and that airspace extending upward from 1200 feet above the surface within a 27-mile radius of the Salina, Kansas VORTAC; and that airspace SE of Salina bounded by a line starting at the intersection of the 27-mile radius and the S edge of V-48; then east along the south edge of V-48; to and SE along the W edge of V-307; to and W along the N edge of V-10; to and NE along the W edge of V-77; to and SW along the S edge of V-280; to and N along the E edge of V-73E; to the 27-mile radius; then counterclockwise along the 27-mile radius to the point of beginning, excluding the portion which overlies the Hutchinson, Kansas transition area.

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

Issued in Kansas City, Missouri, on May 7, 1970.

DANIEL E. BARROW,

Acting Director, Central Region.

[F.R. Doc. 70-6586; Filed, May 27, 1970; 8:47 a.m.]

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Pine Mountain, Ga., transition area.

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

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

The Pine Mountain transition area described in § 71.181 (35 F.R. 2134) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Gardens-Harris County Airport (Lat. 32°50'30" N., Long. 84°52'55" W.); within 3 miles each side of the 270° bearing from Pine Mountain RBN (Lat. 32°50'30" N., Long. 84°52'36" W.), extending from the 8-mile radius area to 8.5 miles W of the RBN.

The AL-5583 NDB (ADF)-1 instrument approach procedure to Runway 27, utilizing the 024° bearing from Pine Mountain RBN, will be cancelled concurrent with the effective date of the new ADF procedure to Runway 9, utilizing the 270° bearing from Pine Mountain RBN. Because of this cancellation and the establishment of the new procedure, it is necessary to alter the transition area by deleting the extension predicated on the 024° bearing from Pine Mountain RBN and redesignating it on the 270° bearing. The application of Terminal Instrument Procedures (TERPs) requires that the extension be designated at 6 miles in width and 8.5 miles in length.

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

Issued in East Point, Ga., on May 20, 1970.

GORDON A. WILLIAMS, JR.

Acting Director, Southern Region.

[F.R. Doc. 70-6586; Filed, May 27, 1970; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 25]

[Docket No. 15735; RM-644]

OWNERSHIP AND OPERATION OF INITIAL U.S. EARTH STATIONS

Order Granting Extension of Time

In a matter of amendment of Part 25 of the Commission's rules and regulations with respect to ownership and operation of initial earth stations in the United States for use in connection with the proposed global commercial communication-satellite system; Docket No. 15735, RM-644.

1. On May 19, 1970, RCA Global Communications, Inc. (RCA) filed a motion for an extension of time to June 19, 1970, in which to submit reply comments to the responses of the various carriers in the captioned rule-making proceeding.

2. Good cause has been shown for affording RCA additional time within which to file such reply comments.

3. Accordingly, pursuant to § 3.03(c) of the Commission's Rules on Delegations of Authority, RCA's motion is granted, and the time for filing reply comments is extended to all parties from May 22 to June 19, 1970.

Adopted: May 21, 1970.

Released: May 22, 1970.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] A. C. ROSEMAN,

Chief, International and Satellite Communications Division, for Chief, Common Carriers Bureau.

[F.R. Doc. 70-6635; Filed, May 27, 1970; 8:51 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 55]

CHINA RECESS ACCESSORIES INDUSTRY

Proposed Rescission of Trade Practice Rules

Notice is hereby given that pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41-58, and the provisions of Part 1, Subpart B of the Commission's procedures and rules of

practice, 16 CFR 1.15, 1.16, the Federal Trade Commission proposes to rescind the Trade Practice Rules for the China Recess Accessories Industry, promulgated October 2, 1931.

Interested or affected parties may submit their views, suggestions, objections or other information concerning the proposed rescission to the Chief, Division of Industry Guides, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington, D.C. 20580, in writing not later than June 29, 1970.

All comments received will be available for examination by interested parties at the Federal Trade Commission's Washington address, and will be fully considered by the Commission prior to the anticipated rescission date which is 60 days from the issue date of this notice.

Issued: May 28, 1970.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 70-6519; Filed, May 27, 1970;
8:45 a.m.]

[16 CFR Part 81]

**WASTE PAPER DEALERS AND
PACKERS**

**Proposed Rescission of Trade Practice
Rules**

Notice is hereby given that pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41-58, and the provisions of Part 1, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.15, 1.16, the Federal Trade Commission proposes to rescind the Trade Practice Rules for Waste Paper Dealers and Packers, promulgated September 3, 1932.

Interested or affected parties may submit their views, suggestions, objections or other information concerning the proposed rescission to the Chief, Division of Industry Guides, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington, D.C. 20580, in writing not later than June 29, 1970.

All comments received will be available for examination by interested parties at the Federal Trade Commission's Washington address, and will be fully considered by the Commission prior to the anticipated rescission date which is 60 days from the issue date of this notice.

Issued: May 28, 1970.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 70-6518; Filed, May 27, 1970;
8:45 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice 48]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

MAY 22, 1970.

The following applications are governed by Special Rule 247¹ of the Commission's general rules of practice (49 CFR 1100.247, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in

which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 200 (Sub-No. 237), filed May 4, 1970. Applicant: RISS INTERNATIONAL CORPORATION, 903 Grand Avenue, Kansas City, Mo. 64106. Applicant's representative: Rodger J. Walsh, 12th Floor, Temple Building, 903 Grand Avenue, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts* (except hides and commodities in bulk, in tank vehicles), from Wichita, Kans., to points in Florida, Georgia, South Carolina, North Carolina, Alabama, and Mississippi. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Kansas City, Mo.

No. MC 2202 (Sub-No. 386), filed April 28, 1970. Applicant: ROADWAY EXPRESS, INC., 1077 George Boulevard, Post Office Box 471, Akron, Ohio 44309. Applicant's representatives: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036 and James W. Conner, Post Office Box 471, Akron, Ohio 44309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Eaton, Ohio as an off-route point in connection with carrier's regular route authority between Dayton, Ohio, and Cincinnati, Ohio, over Ohio Highway 4. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 7555 (Sub-No. 64) filed April 27, 1970. Applicant: TEXTILE MOTOR FREIGHT, INC., Post Office Box 70,

Ellerbe, N.C. 28338. Applicant's representative: Jacob P. Billig, 1108 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum alloy*, from Buffalo, N.Y. to points in North Carolina and South Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 13250 (Sub-No. 107) (Correction), filed April 6, 1970, published in the FEDERAL REGISTER, issue of April 30, 1970, and republished in part, as corrected, this issue. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, Tex. 77022. Applicant's representative: James M. Doherty, Suite 401, First National Life Building, Austin, Tex. 78701. NOTE: The purpose of this partial republication is solely to correct certain errors made through inadvertence in the previous publication, as follows: The addresses of the applicant and its representative should be as shown above. The restriction in Item (3) should read "(restricted to commodities which are transported on trailers)". The last sentence should read "If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, Portland, Oreg., or Seattle, Wash." The rest of the application remains as previously published.

No. MC 23196 (Sub-No. 9), filed May 5, 1970. Applicant: DAVID WEISS AND MURRAY WEISS, a partnership, doing business as WEISS TRANSPORTATION COMPANY, Richmond and Cambria Streets, Philadelphia, Pa. 19134. Applicant's representative: M. Mark Mendel, 1440 P.S.F.S. Building, Philadelphia, Pa. 19107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household and commercial appliances*, from the stores and warehouses of the shippers at Philadelphia, Pa., to points in Delaware and that part of New Jersey south of New Jersey Highway 33. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., Camden, N.J., Wilmington, Del., or Harrisburg, Pa.

No. MC 29910 (Sub-No. 88), filed April 23, 1970. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th, Fort Smith, Ark. 72901. Applicant's representative: Thomas Harper Post Office Box 43, Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission,

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

commodities in bulk, and commodities requiring special equipment), serving the plantsite of International Paper Company, Southern Kraft Division, Cass County, Tex., approximately 10 miles south of Texarkana, Ark.-Tex., as an off-route point in connection with applicant's regular route authority to serve Texarkana, Ark.-Tex., as authorized in MC 29910. NOTE: Applicant states that it intends to combine this authority to Texarkana with all of its other regular route authority. If a hearing is deemed necessary, applicant requests it be held at Shreveport or New Orleans, La., or Washington, D.C.

No. MC 30837 (Sub-No. 396), filed April 24, 1970. Applicant KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53141. Applicant's representative: Paul F. Sullivan, Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor homes and buses*, from points in Clairborne County, Tenn.; Labette County, Kans.; Elkhart County, Ind.; Winona County, Minn.; Grayson County, Tex.; Tulare County, Calif.; Green County, N.Y.; and St. Joseph County, Mich., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 32083 (Sub-No. 1), filed March 6, 1970. Applicant: CLEVELAND W. HALL AND CLAUDIOUS HALL, a partnership, doing business as HALL TRUCK LINE, 400 East Main Street, Post Office Box 361, Ahoskie, N.C. 27910. Applicant's representative: Sam O. Worthington, Box 691, Greenville, N.C. 27834. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wood chips, wood shavings, sawdust and pine bark*, (a) between points in Bertie, Chowan, Edgecombe, Halifax, Hertford, Gates, Martin, Pasquotank, Perquimans, Warren and Washington Counties, N.C., and Southamptn, Greenville and Nansemond, Va., and (b) from points in the above-named counties to points in Virginia and Maryland on and east of U.S. Highway 301 and Interstate Highway 95, and (2) *general commodities* (except household foods and explosives), (a) between points in Bertie, Chowan, Edgecombe, Halifax, Hertford, Gates, Martin, Pasquotank, Perquimans, Warren and Washington Counties, N.C., and Southamptn, Greenville and Nansemond, Va., and (b) between points in the above-named counties and points in North Carolina, Virginia and Maryland, on and east of U.S. Highway 301 and Interstate Highway 95, restricted to traffic having a prior or subsequent movement by trailer on flatcar in rail service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 32882 (Sub-No. 52) (Amendment), filed March 30, 1970, published in

the FEDERAL REGISTER issue of April 23, 1970, and republished as amended, this issue. Applicant: MITCHELL BROS. TRUCK LINES, a corporation, 3841 North Columbia Boulevard, Portland, Ore. 97217. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, 806 Southwest Broadway, Portland, Ore. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibreboard packaging materials and pulpboard*, (1) from points in Pierce County, Wash., to points in Idaho and points in Malheur County, Ore.; and (2) from points in Multnomah County, Ore., to points in Idaho. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to broaden the scope of the authority sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore., or Seattle, Wash.

No. MC 35320 (Sub-No. 119), filed May 1, 1970. Applicant: TIME-DC, INC., 2598 74th Street (P.O. Box 25507), Lubbock, Tex. 79408. Applicant's representative: W. D. Benson, P.O. Box 6723, Lubbock, Tex. 79413 and Frank M. Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Denver, Colo., and Portland, Ore.: From Denver over U.S. Highway 87 (also over Interstate Highway 25) to junction Colorado Highway 14, thence over Colorado Highway 14 to junction U.S. Highway 287, thence over U.S. Highway 287 to junction U.S. Highway 30 near Laramie, Wyo., thence over U.S. Highway 30 (also over Interstate Highway 8) to junction U.S. Highways 30N and 30S near Little America, Wyo., thence over U.S. Highway 30S (also over Interstate Highway 80) to junction U.S. Highway 189 near Echo, Utah, thence over U.S. Highway 30S (also Interstate Highway 80N) to junction U.S. Highway 30, thence over U.S. Highway 30 (also over Interstate Highway 80N) to Portland, Ore., and return over the same route, serving no intermediate points as an alternate route for operating convenience only in connection with carrier's other authorized routes. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Washington, D.C., or any place convenient to the Commission.

No. MC 35540 (Sub-No. 19), filed May 6, 1970. Applicant: SCHRODER'S EXPRESS, INC., 1550 Perrin Street, Cincinnati, Ohio. Applicant's representatives: David Axlerod, 39 South La Salle Street, Chicago, Ill., and Herbert Baker, 2651 Abington Road, Upper Arlington, Ohio 43221. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B

explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (A) REGULAR ROUTES: (1) Between Alexandria, Ky., and Cincinnati, Ohio, over U.S. Highway 27, serving all intermediate points; and off-route points within 3 miles of the below-specified route; (2) between Louisville, Ky., and North Vernon, Ind.; from Louisville across the Ohio River to Jeffersonville, Ind., thence over Indiana Highway 62 to Charlestown, Ind., and thence over Indiana Highway 3 to North Vernon, and return over the same route, serving all intermediate points; (3) between Palmyra, Ind., and Louisville, Ky.; (a) from Palmyra over Indiana Highway 135 to Corydon, Ind., thence over Indiana Highway 62 to New Albany, Ind., and thence over U.S. Highway 150 to Louisville, and return over the same route;

(b) From Palmyra over U.S. Highway 150 to Louisville, and return over the same route; (4) between junction Indiana Highways 135 and 64 and junction Indiana Highways 62 and 64, over Indiana Highway 64; (5) between junction Indiana Highway 135 and county road north of Central Barren, Ind., and junction of U.S. Highway 150 and county road, north of Bradford, Ind., over unnumbered county roads through Bradford, Ind., an return over the same route, serving all intermediate points on the three routes in (3), (4), and (5) above, except Central Barren, Ind., and those on Indiana Highway 62. Restriction: No service shall be rendered between Louisville, Ky., on the one hand, and, on the other, Corydon and Corydon Junction, Ind., (6) between Louisville, Ky., and Ramsey, Ind.; from Louisville over U.S. Highway 150 to junction Indiana Highway 62, thence over Indiana Highway 62 to Edwardsville, Ind., thence over Indiana Highway 64 to Ramsey, and return over the same route, serving all intermediate points; (7) between North Vernon, Ind., and Cincinnati, Ohio, over U.S. Highway 50, serving the intermediate point of Lawrenceburg, Ind.; (8) between Louisville, Ky., and Evansville, Ind.; from Louisville over U.S. Highway 150 to junction Indiana Highway 56, thence over Indiana Highway 56 to Haysville, Ind., thence over U.S. Highway 231 (formerly Indiana Highway 45) to Dale, Ind., and thence over Indiana Highway 62 to Evansville, and return over the same route, serving the intermediate points of Palmyra, French Lick, Hillham, Haysville, Jasper, Huntingburg, Dale, Gentryville, and Boonville, Ind., and the off-route points of New Salisbury, Dubois, and Central Barren, Ind.;

(9) Between Cincinnati, Ohio, and Louisville, Ky., over U.S. Highway 42 serving no intermediate points; (10) between Jasper, Ind., and St. Louis, Mo.; from Jasper over Indiana Highway 56 to junction Indiana Highway 61, thence over Indiana Highway 61 to Vincennes, Ind., and thence over U.S. Highway 50 to St. Louis and return over the same route, serving all intermediate points; (11) between Evansville and Vincennes, Ind.,

...serving all intermediate points, and serving the site of the Warrick Works of the Aluminum Company of America plant, located near Newburgh, Warrick County, Ind., as an off-route point, from Evansville over U.S. Highway 41 to Vincennes, and return over the same route, serving the off-route points in the St. Louis, Mo.-East St. Louis, Ill., Commercial zone, as defined by the Commission, points within five miles of Jasper, Ind., those within five miles of Evansville, Ind., and George Field, Ill., unrestricted, the site of the Ford Motor Company plant near Robertson, Mo., restricted against service between said plant and points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, and serving from Alton, Ill., to points on the regular routes authorized above, except those in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, restricted to the transportation of iron and steel articles, in quantities of 20,000 or more.

(12) Between Treloar, Mo., and East St. Louis, Ill., serving all intermediate points: From Treloar over Warren County Highway "N" to Holstein, Mo., thence over unnumbered highways via Concord Hill and Marthasville, Mo., to junction St. Charles County Highway "D", thence over St. Charles County Highway "D" to junction Missouri Highway 94, thence over Missouri Highway 94 to St. Charles, Mo., thence over Missouri Highway 115 to junction Missouri Highway 180, thence over Missouri Highway 180 to junction U.S. Highway 67, thence over U.S. Highway 67 to junction U.S. Highway 40, thence over U.S. Highway 40 to East St. Louis, and return over the same route, serving the plantsite of the Ford Motor Company, at the intersection of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with carrier's authorized regular-route operations to and from Louisville, Ky. Alternate routes for operating convenience only; (13) Between New Albany and Dale, Ind., over Indiana Highway 62, serving no intermediate points; (14) between Charlestown and Versailles, Ind., with no service to or from intermediate points; and serving Versailles for joinder purpose only; from Charlestown over Indiana Highway 62 via New Washington, Ind., to junction Indiana Highway 56, thence over Indiana Highway 56 via Hanover, Ind., to junction Indiana Highway 107, thence over Indiana Highway 107 to junction U.S. Highway 421, thence over U.S. Highway 421 via Bellevue, Bryantsburg, Rexville, and Correct, Ind., to Versailles, and return over the same route;

(15) between Vincennes, Ind., and junction Indiana Highway 56 and U.S. Highway 150, over U.S. Highway 150 in connection with carrier's presently authorized regular route operations, serving no intermediate points; (16) between Paoli, Ind., and junction Indiana Highways 56 and 3, over Indiana Highway 56, in connection with carrier's presently authorized regular route operations, serving no intermediate points; (17) between junction Indiana Highways 56 and 3, and junction Indiana Highways 56 and

62, over Indiana Highway 56, in connection with carrier's presently authorized regular route operations, serving no intermediate points, and serving junction Indiana Highways 56 and 62 for purposes of joinder only; from junction Indiana Highways 56 and 3 over Indiana Highway 56 to junction Indiana Highway 62, and return over the same route; (18) between Huntingburg, and Ramsey, Ind., over Indiana Highway 64, in connection with carrier's presently authorized regular route operations, serving no intermediate points; (19) between Evansville, Ind., and Salem, Ill., in connection with carrier's presently authorized regular route operations, serving no intermediate points: from Evansville over U.S. Highway 460 to junction Illinois Highway 37, thence over Illinois Highway 37 to Salem, and return over the same route; (B) irregular routes: (1) between points in Ohio within 10 miles of Cincinnati, on the one hand, and, on the other, Covington, Ft. Thomas, Newport, Bellevue, and Dayton, Ky.; and

(2) between Cincinnati, Ohio, on the one hand, and, on the other, points in Kentucky within 10 miles of Cincinnati, and those in Ohio within 5 miles of Cincinnati, including Cincinnati. Note: Applicant states that the authority described hereinabove is presently contained in Schroder's Express, Inc. Certificates of Public Convenience and Necessity issued to it in MC 35540 and (Subs 7, 8, 12, 14 and 17). However, Schroder's Express, Inc. Sub 8 Certificate carries the following restriction: Restriction: The operations authorized herein and those otherwise authorized this carrier may not be combined for service on traffic moving between St. Louis, Mo., on the one hand, and, on the other, Louisville, Ky., and Cincinnati, Ohio. Subsequent to the issuance of Schroder's Express, Inc. Sub 8 Certificate, Schroder's Express, Inc. acquired additional operating authority, by purchase in MC-F-9530 as a result of which Schroder's Express, Inc. obtained the authority contained in the Certificate of Public Convenience and Necessity issued to it in Sub 14. The purpose of Schroder's Express, Inc. acquiring the authority contained in Sub 14 was to avoid or eliminate the restriction contained in its Sub 8 authority. Accordingly, the purpose of this application is to clarify and/or eliminate the restriction presently contained in Schroder's Express, Inc. Sub 8 authority which restricts Schroder's Express, Inc. from handling traffic moving between St. Louis, Mo., on the one hand, and, on the other, Louisville, Ky. and Cincinnati, Ohio. Applicant requests concurrent handling with No. MC-F-10827, published in the FEDERAL REGISTER issue of May 13, 1970. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 44605 (Sub-No. 36) filed April 27, 1970. Applicant: MILNE TRUCK LINES, INC., 2200 South Third West, Salt Lake City, Utah 84115. Applicant's representative: Stuart L. Poelman, Seventh Floor, Continental Bank Building, Salt Lake City, Utah 84101. Authority sought to operate as a common car-

rier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Marysville, Utah and Salt Lake City, Utah, (1) from Marysville, Utah over U.S. Highway 89 to Junction Utah Highway 28, thence over Utah Highway 28 to junction U.S. Highway 91 (Interstate Highway 15) at Levan, Utah, thence over U.S. Highway 91 (Interstate Highway 15) to Salt Lake City, Utah and return over the same route; (2) from Marysville, Utah over U.S. Highway 89 to junction Utah Highway 116 near Mt. Pleasant, Utah, thence over Utah Highway 116 to junction Utah Highway 11 near Moroni, thence over Utah Highway 11 to junction U.S. Highway 91 (Interstate Highway 15) near Nephi, Utah, thence over U.S. Highway 91 (Interstate Highway 15) to Salt Lake City, Utah and return over the same route; and (3) from Cove Fort, Utah over Utah Highway 4 (Interstate Highway 70) to junction U.S. Highway 89 near Sevier, Utah, and return over the same route, serving all intermediate points in connection with (1), (2), and (3) above, and the off-route points of Monroe, Austin, Glenwood, Venice, Sigurd, and Spring City, Utah and those points on Utah Highway 117 between the intersection of Utah Highway 116 with Utah Highway 117 and Fountain Green, Utah. Note: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 46219 (Sub-No. 9) filed April 20, 1970. Applicant: STERNBERGER MOTOR CORPORATION, 45-55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: Kenneth T. Johnson and Ronald W. Malin, Bank of Jamestown Building, Jamestown, N.Y. 14701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Voting machines*, uncrated, and *voting machine accessories*, between Jamestown, N.Y., and points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia, Delaware, and the District of Columbia. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 52579 (Sub-No. 123), filed April 30, 1970. Applicant: GILBERT CARRIER CORP., One Gilbert Drive, Secaucus, N.J. 07094. Applicant's representative: W. Abel (same address as applicant). Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Wearing apparel*, loose, on hangers, between Forest Park, Ga. and points in Florida. Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 74857 (Sub-No. 30) (Correction), filed January 28, 1970, published in the FEDERAL REGISTER issue of February 27, 1970, under No. MC 133133 Sub-No. 1 and republished as corrected this issue. Applicant: FULLER MOTOR DELIVERY CO., a corporation, 802 Plum Street, Cincinnati, Ohio 45202. Applicant's representative: David A. Caldwell, 900 Tri-State Bldg., Cincinnati, Ohio 45202. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (a) from points in Carroll County, Ky., to points in Ohio, Indiana, and Kentucky; (b) from Kentucky Asphalt Sales Terminal in Jefferson County, Ky., to points in Indiana north of Indiana Highway 28; points in Ohio (except points in Brown, Butler, Clermont, Clinton, Greene, Hamilton, Highland, Montgomery, Preble and Warren Counties); points in West Virginia on and west of Interstate Highway 1-77; (c) from points in Hamilton County, Ohio to points in Indiana (except Bartholomew, Brown, Clark, Dearborn, Decatur, Fayette, Floyd, Franklin, Hancock, Henry, Jackson, Jefferson, Jennings, Johnson, Lawrence, Marion, Monroe, Morgan, Ohio, Ripley, Rush, Scott, Shelby, Switzerland, Union, Washington and Wayne Counties, Ind., and points in West Virginia. NOTE: Applicant states that it has pending an application to convert all of its contract carrier permits to common carrier authority. This matter has been assigned MC-133133 and is pending. By reason of the pending conversion application the applicant requests that the present application be considered in the alternative as an application for common carrier authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Columbus, Ohio.

No. MC 79135 (Sub-No. 45), filed April 28, 1970. Applicant: COSSITT MOTOR EXPRESS, INC., 63 West Kendrick Ave., Hamilton, N.Y. 13346. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Merchandise equipment, and supplies*, sold, used, or distributed by a manufacturer of cosmetics and allied products, between Rye, N.Y., on the one hand, and, on the other, points in the counties of Chenango, Cayuga, Oneida, Tloga, and Tompkins, N.Y. NOTE: Applicant states that it operates out of its terminal at Carlstadt, N.J., therefore operations must be performed through the State of New Jersey. Applicant further states it will tack at Norwich, N.Y., with presently held authorities. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 82492 (Sub-No. 36), filed April 21, 1970. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 693 Plymouth Avenue NE., Grand Rapids, Mich. 49505. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over

irregular routes, transporting: (1) *Foodstuffs*, and (2) *drugs, medicines and toilet articles, and advertising, promotional and display materials*, when moving at the same time and in the same vehicle with foodstuff (except commodities in bulk), from Columbus, Ohio, to points in Illinois, Kansas, Michigan, Missouri, South Dakota, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 82492 (Sub-No. 37), filed April 27, 1970. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., P.O. Box 2853, Kalamazoo, Mich. 49001. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk in tank vehicles) from Evansville, Indianapolis and Washington, Ind., and Louisville, Ky., to points in Michigan, Minnesota, Wisconsin and Illinois. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Louisville, Ky.

No. MC 83835 (Sub-No. 68), filed April 21, 1970. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Towers, parts and accessories* for towers, and (2) *shelters*, from Kansas City, Mo., to points in the United States, including Alaska (excluding Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Dallas, Tex.

No. MC 94265 (Sub-No. 236), filed April 28, 1970. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. 23502. Applicant's representative: E. Stephen Heisley, 705 McLachlan Bank Bldg., 666-11th Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk in tank vehicles), in vehicles equipped with mechanical refrigeration, from Washington, Evansville and Indianapolis, Ind., and Louisville, Ky., to points in Illinois, Wisconsin, Minnesota, New York, New Jersey, Pennsylvania, Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, Virginia, West Virginia, District of Columbia, and North Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 94350 (Sub-No. 262) filed April 24, 1970. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Haywood Road, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant) and Ames, Hill & Ames, 666 11th St. NW., Suite 705, McLachlan Bank Bldg., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages, from points of manufacture in Lincoln County, N.C. to points east of the Mississippi River, including Louisiana and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 95540 (Sub-No. 775), filed April 24, 1970. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the plantsize of Oscar Mayer & Company, at or near Goodlettsville, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Virginia, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 95540 (Sub-No. 776), filed April 24, 1970. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, frozen and/or unfrozen, from the plantsize and warehouse facilities of Howard D. Johnson Company, located at or near Wollaston, and Brockton, Mass., New Hyde Park, and Queens Village, N.Y., Secaucus, N.J., and Bedford, Pa., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Utah. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC 96612 (Sub-No. 10), filed April 23, 1970. Applicant: SEA-LAND FREIGHT SERVICE, INC., Corbin and

Fleet Streets, Post Office Box 1050, Elizabeth, N.J. 07207. Applicant's representative: Harry J. Jordan, 1000-16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, in marine-type containers, (1) between points in Alaska (except those in the Alaska Panhandle); and (2) between points in the Seattle, Wash., Commercial Zone as defined by the Commission, restricted to the movement of such containers having a prior or subsequent movement by water. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 100666 (Sub-No. 168), filed April 28, 1970. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112, and Paul Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire*, from Rome, Ga., to points in Arkansas, Alabama, Louisiana, Mississippi, Oklahoma, Tennessee and Texas. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Memphis, Tenn.

No. MC 102616 (Sub-No. 855), filed May 4, 1970. Applicant: COASTAL TANK LINES, INC., Post Office Box 7211, 215 East Waterloo Rd., Akron, Ohio 44319. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bisphenol A*, in bulk, in tank vehicles, from Wheeling, W.Va. to Natrium, W.Va., on traffic having a prior out-of-State movement. Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103993 (Sub-No. 523), filed April 27, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from Bienville Parish and Ouachita Parish, La., to points in the United States (except Alaska and Hawaii). Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 103993 (Sub-No. 524), filed April 27, 1970. Applicant: MORGAN DRIVEAWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Appli-

cant's representative: Paul D. Borghesani (same address as above), and Ralph H. Miller. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Motor homes*, in truckaway service; and (2) *campers and camp coaches* in truckaway service, between points in the United States (including Alaska but excepting Hawaii). Note: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Los Angeles, Calif., Ft. Worth, Tex., Atlanta, Ga., or Washington, D.C.

No. MC 105566 (Sub-No. 16) filed April 21, 1970. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 68, East Prairie, Mo. 63845. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat and meat products, dairy products, delicatessen products, candy and confectionery, canned goods, and bakery products*, in straight or mixed shipments, from the facilities of The Kroger Co., in Cincinnati and Springdale, Ohio, to Memphis, Tenn., Dallas, Tex., and Los Angeles, Calif., and (2) *smoked meats*, from Paris, Tex., to Los Angeles, Calif. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Washington, D.C.

No. MC 106398 (Sub-No. 473), filed May 4, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull and Fred Rahal (same address as above), also Leonard A. Jaskiewicz, 1730 M St. NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bituminized fibre conduit, sewer and drainage pipe and connections, fittings, and accessories*, therefore, from points in Grayson County, Tex., to points in North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Oklahoma, Kansas, Missouri, Colorado, Nebraska, New Mexico, Arizona, California and Louisiana. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 106920 (Sub-No. 37), filed May 7, 1970. Applicant: RIGGS FOOD EXPRESS INC., Post Office Box 26, West Monroe Street, New Bremen, Ohio 45869. Applicant's representative: Carroll V. Lewis, 122 E. North Street, Sidney, Ohio 45365, and Victor J. Tambascia (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Covington, Ohio, to points in Alabama, Arkansas, Connect-

icut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 107002 (Sub-No. 390), filed April 29, 1970. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123 U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representatives: H. D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205, and John J. Borth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, in bulk, in tank vehicles, from Lumberton, Miss. to points in Louisiana and (2) *asphalt*, in bulk, in tank vehicles, from points in Washington County, Miss. to points in Louisiana and to points in Arkansas on, south and west of U.S. Highway 270 and 70, Arkansas Highway 1 and U.S. Highway 49. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 107002 (Sub-No. 391), filed April 29, 1970. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, (U.S. Highway 80 west) Jackson, Miss. 39205. Applicant's representatives: John J. Borth (same address as above), also H. D. Miller, Jr., P.O. Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Jackson, Miss., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee, and Texas. Note: Applicant states that although tacking is not contemplated at this time, the authority sought could be combined with various authorities in MC 107002 and subs thereunder to render service to points in several States. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 107107 (Sub-No. 404), filed May 1, 1970. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 NW., 46th St. Miami, Fla. 33142. Applicant's representative: Ford W. Sewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles* distributed by meat packinghouses, as described in Section A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from the plant site of Oscar Mayer & Co. at or near Goodlettsville, Tenn., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South

Carolina, restricted to traffic originating at the above described plant site and destined to points in the above named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107107 (Sub-No. 405), filed May 7, 1970. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 NW 46th Street, Miami, Fla. 33142. Applicant's representative: Ford W. Sewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles and hides), from the plantsite of Missouri Beef Packers, Inc. at or near Plainview, Tex., to points in Virginia, Kentucky, West Virginia, Maryland, Delaware, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Tennessee (except Memphis), District of Columbia and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 334) (Amendment), filed March 16, 1970, published in the FEDERAL REGISTER of April 9, 1970, amended May 7, 1970, and republished as amended, this issue. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel pallet racks, and accessories*, therefor, from Quincy and Rock Island, Ill., to points in the United States, except Alaska and Hawaii. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. It further states if possible duplication is discovered, it will be disclosed at the hearing. The purpose of this republication is to reword the commodity description. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107295 (Sub-No. 383), filed May 4, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from the plantsite and warehouse facilities of Fingerle Lumber Company, Ann Arbor, Mich., to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. NOTE: Applicant states that the nature of the application

does not permit tacking. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Toledo, Ohio.

No. MC 107403 (Sub-No. 793), filed April 24, 1970. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representatives: Harry C. Ames, Jr., Suite 705, 666 11th St. NW., Washington, D.C. 20001, and John E. Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar pitch*, in dump vehicles, from Ironton, Ohio, to Sparrows Point, Md. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 778) filed April 30, 1970. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid animal feed and feed supplements*, in bulk, from Leoti, Kans. to points in Nebraska, Kansas, Colorado, New Mexico, Missouri, Texas and Oklahoma, (2) *liquid polyurethane and liquid polyurethane resins*, in bulk, from McCook, Ill., to points in Georgia and Kansas, (3) *catalyst*, between points in Minnesota, and (4) *fertilizer*, in bulk, from Alta and Masonville, Iowa to Minnesota. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 107544 (Sub-No. 94), filed April 3, 1970. Applicant: LEMMON TRANSPORT COMPANY, INCORPORATED, Post Office Box 580, Marion, Va. 24354. Applicant's representatives: Daryl J. Henry (same address as above), and Harry C. Ames, Jr., 66 Eleventh NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, or irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Roanoke, Va., to points in Sullivan County, Tenn. NOTE: Applicant states that tacking is not intended. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant has contract carrier authority under MC 113959 and Sub 2, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 107839 (Sub-No. 141), filed May 1, 1970. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 770 East 51st Ave., Denver, Colo. 80216. Applicant's representative: Edward T. Lyons, Jr., 420 Denver Club Bldg., Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Preserved, drained, glazed fruit, or fruit peel*, from Plant City, Fla., to points in Arizona, Arkansas, California, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Washington, D.C.

No. MC 107882 (Sub-No. 16), filed May 6, 1970. Applicant: ARMORED MOTOR SERVICE CORPORATION, 160 Ewingville Road, Trenton, N.J. 08638. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin*, (1) between Denver, Colo., on the one hand, and, on the other, Richmond, Va., Charlotte, N.C., Atlanta, Ga., Birmingham, Ala., Jacksonville, Fla., Fort Knox, Ky., and Nashville and Memphis, Tenn.; and (2) between Philadelphia, Pa., West Point and New York, N.Y., on the one hand, and, on the other, Richmond, Va., Charlotte, N.C., Atlanta, Ga., Birmingham, Ala., Jacksonville, Fla., New Orleans, La., Little Rock, Ark., Oklahoma City, Okla., El Paso, Houston, San Antonio, and Dallas, Tex., Fort Knox, Ky., and Nashville and Memphis, Tenn.; under contract with the General Service Administration. NOTE: Applicant holds common carrier authority under MC 125729, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 107993 (Sub-No. 16), filed May 7, 1970. Applicant: J. J. WILLIS TRUCKING COMPANY, a Corporation, Post Office Box 2112, Odessa, Tex. 79760. Applicant's representative: J. G. Dail, Jr., 1111 E Street, N.W., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, conduit, and fittings* between points in Grayson County, Tex., on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Idaho, Kansas, Louisiana, Montana, Nevada, New Mexico, Oklahoma, Utah and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held in Dallas, Tex.

No. MC 108393 (Sub-No. 31), filed April 24, 1970. Applicant: SIGNAL DELIVERY SERVICE, INC., 930 North York Road, Hinsdale, Ill. 60521. Applicant's representative: J. A. Kundtz,

1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electrical and gas appliances*, between Danville, Ky., on the one hand, and, on the other, Cincinnati, Columbus, Cleveland, Marion, Clyde, and Findlay, Ohio; Chicago, Ill.; Nashville and Knoxville, Tenn.; Indianapolis and Evansville, Ind.; and Detroit, Grand Rapids, Benton Harbor, and St. Joseph, Mich., (2) *parts of electrical and gas appliances*, from Danville, Ky., to Chattanooga and Memphis, Tenn.; Huntington, W. Va.; Peoria, Ill.; Saginaw, Mich.; St. Louis, Mo., and Milwaukee, Wis., and (3) *equipment, materials, and supplies* used in the manufacture, distribution, and repair of electrical and gas appliance, from Dayton, Canton, Mansfield, Prospect, Toledo, Middletown, and Eaton, Ohio; Murfreesboro, Tenn.; Anderson, Ind.; and Charlotte, Mich., to Danville, Ky., under contract with Whirlpool Corporation. **NOTE:** Applicant holds common carrier authority under MC 118459, therefore, dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 109397 (Sub-No. 212) (Amendment) filed April 6, 1970, published in the FEDERAL REGISTER, issue of April 30, 1970, and republished as amended in this issue. Applicant: TRI-STATE MOTOR TRANSIT CO., a Corporation, Post Office Box 113, Joplin, Mo. 64801. Applicant's representatives: A. N. Jacobs (same address as applicant) and Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Industrial salt, industrial furnaces, ovens, conveyers and industrial furnace, oven and conveyor parts*, between Roseville, Mich. on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant has contract carrier authority under MC 128814 Sub-5 and other subs, therefore, dual operations may be involved. Common control may be involved. The purpose of this republication is to broaden the authority sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Chicago, Ill.

No. MC 109397 (Sub-No. 222), filed April 28, 1970. Applicant: TRI-STATE MOTOR TRANSIT CO., a Corporation, P. O. Box 113, Interstate Business Route I-44, Joplin, Mo. 64801. Applicant's representative: Wilburn L. Williamson, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sponge rubber products, carpet and carpet cushion and materials* used in the installation thereof, from Morris, Ill., to points in Maine, Vermont, New Hampshire, North Dakota, Montana, Arizona,

California, Idaho, New Mexico, Nevada, Oregon, Utah, and Washington, and (2) *materials* used in the manufacture of sponge rubber products, carpet and carpet cushion, from points in North Carolina, Missouri, Indiana, Tennessee, Wisconsin, and Florida to Morris, Ill. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110197 (Sub-No. 18), filed April 20, 1970. Applicant: DANIEL S. DRACUP & CO., INC., 12 East Fourth Street, Jamestown, N.Y. 14701. Applicant's representative: Ronald W. Malin, Bank of Jamestown Building, Jamestown, N.Y. 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Voting machines*, uncrated, and *voting machine accessories*, between points in Jamestown, N.Y.; Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, West Virginia, Virginia, Kentucky, Missouri, Arkansas, Tennessee, North Carolina, Louisiana, Mississippi, Alabama, Georgia, South Carolina and Florida; (2) *lumber, veneer and plywood*, from points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, West Virginia, Virginia, Kentucky, Missouri, Arkansas, Tennessee, North Carolina, Louisiana, Mississippi, Alabama, Georgia, South Carolina and Florida to points in Chautauqua County, N.Y., and (3) *baled rags*, from points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, West Virginia, Virginia, Kentucky, Missouri, Arkansas, Tennessee, North Carolina, Louisiana, Mississippi, Alabama, Georgia, South Carolina, and Florida to Jamestown, N.Y. **NOTE:** Applicant states that tacking is possible as it relates to movements of plywood and veneer whereby the gateway of Chautauqua County could be used for further movement to Connecticut, Massachusetts, and Rhode Island. Applicant further states that only one operating authority is sought and any grant of duplicating authority pursuant to this application shall not be construed as conferring more than one operating right. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 110479 (Sub-No. 24), filed April 23, 1970. Applicant: HARPER TRUCK SERVICE, INC., 1230 North Eighth Street, Paducah, Ky. 42002. Applicant's representative: Robert M. Pearce, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in Ballard, Calloway (except points on U.S. Highway 641 south of Murray, Ky.), Crittenden, Henderson, Livingston, Lyon,

Marshall, McCracken, Union, and Webster Counties, Ky., as off-route points in connection with carrier's regular route operations in the named counties. **NOTE:** Applicant states that the requested authority will be joined with its regular routes under MC 110479 between Evansville, Ind., Paducah, Ky., St. Louis, Mo., and Louisville, Ky. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 110683 (Sub-No. 73), filed April 24, 1970. Applicant: SMITH'S TRANSPORT CORPORATION, P.O. Box 1000, Staunton, Va. 24401. Applicant's representative: Francis W. McInerney, 1000 16th St., N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foodstuffs* (except in bulk) in vehicles equipped with mechanical refrigeration, from the plant site and warehouse facilities of the Pillsbury Company, at or near Seelyville, Ind., to East Greenville, Pa., restricted to traffic originating at the origin indicated and destined to the point shown. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111545 (Sub-No. 136) filed May 4, 1970. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road, S.E., Marietta, Ga. 30060. Applicant's representative: Robert E. Born, P.O. Box 6426, Station A, Marietta, Ga. 30060. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dump bodies, cranes, and material handling equipment*; and (2) *parts, attachments, and accessories* for the commodities in (1) above, between points in LaSalle County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that tacking is not specifically intended and therefore territory is not described, however applicant further states that it is not willing to accept a restriction against tacking unless shown to be warranted. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 111545 (Sub-No. 137), filed May 4, 1970. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Marietta, Ga. 30060. Applicant's representative: Robert E. Born, P.O. 6426, Station A, Marietta, Ga. 30060. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Incinerators and refuse treatment equipment*; and (2) *parts, attachments and accessories* for commodities in (1) above, from Springfield, Mo. to points in the United States (except Hawaii). **NOTE:** Applicant states that tacking is not specifically intended and therefore territory is not described. Applicant is not willing to accept a restriction against tacking unless shown to be warranted. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplication authority is sought. If a hearing is deemed

necessary, applicant requests it be held at Kansas City, Mo.

No. MC 111545 (Sub-No. 138), filed May 4, 1970. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Marietta, Ga. 30060. Applicant's representative: Robert E. Born, Post Office Box 6426, Station A, Marietta, Ga. 30060. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hydraulic cylinders and equipment*; and (2) *parts, attachments and accessories* for commodities named in (1) above, from points in Pocahontas County, Iowa to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that tacking is not specifically intended and therefore territory is not described. Applicant is not willing to accept a restriction against tacking unless shown to be warranted. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111729 (Sub-No. 296) (Correction), filed March 30, 1970, published in the FEDERAL REGISTER issues of April 30, 1970 and May 14, 1970, republished and corrected this issue. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as above) and Russell S. Bernhard, 1625 K Street, N.W., Washington, D.C. 20006. The purpose of this partial republication is to reflect a change in the territory sought to read Missouri Highway 84 in lieu of U.S. Highway 84 in parts 3(a) and 4(b). The rest of the application remains the same.

No. MC 112223 (Sub-No. 86), filed April 20, 1970. Applicant: QUICKIE TRANSPORT COMPANY, a Corporation, 501 11th Avenue South, Minneapolis, Minn. 55415. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn. 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vegetable oil and modifications and blends thereof*, in bulk, from Blooming Prairie, Minn., to points in Illinois, Wisconsin, Ohio, Michigan, Indiana, Missouri, and Kentucky; and (2) *petroleum and petroleum products*, in bulk, from Pine Bend, Minn., to points in Iowa, Wisconsin, Illinois, Upper Michigan and South Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 112617 (Sub-No. 275), filed May 4, 1970. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same address as above) and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Flour*, in bulk, from Ashland, Ky., to points in Kentucky, West Virginia, and Ohio (except Ashtabula, Cuyahoga, Lake, Summit, Muskingum, Licking, Franklin and Wayne Counties). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Ashland, Ky.

No. MC 112941 (Sub-No. 3), filed April 23, 1970. Applicant: WEST VIRGINIA MOTOR DELIVERY CO., INC., Junction U.S. 25 and Alternate 35, P.O. Box 2829, Charleston, W. Va. 25330. Applicant's representative: James C. Reed, Jr., 212 Roane St., Charleston, W. Va. 25302. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat products, dairy products and articles* distributed by meat packing houses, as defined in Modification of Permits, Packing House Products, 46 M.C.C. 23, from Charleston, W. Va., to points in Buchanan and Tazewell Counties, Va. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does specify a location.

No. MC 113267 (Sub-No. 235) (Amendment), filed April 14, 1970, published in the FEDERAL REGISTER issue of May 14, 1970, amended, and republished as amended, this issue. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. 62232. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from Evansville, Indianapolis and Washington, Ind., and Louisville, Ky., to points in Alabama, Florida, Georgia, Illinois, Louisiana, Michigan, Minnesota, Mississippi, North Carolina, South Carolina, Tennessee and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. The purpose of this republication is to broaden the territorial scope by adding the destination States of Illinois, Michigan, Minnesota and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113410 (Sub-No. 69), filed April 20, 1970. Applicant: DAHLEN TRANSPORT, INC. 1680 Fourth Avenue, Newport, Minn. 55055. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk in tank vehicles, from Minneapolis, and St. Paul, Minn. and points within 10 miles of each, to points in Illinois, Iowa, Upper Michigan, South Dakota, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control

may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 113535 (Sub-No. 14), filed May 7, 1970. Applicant: A & W TRUCKING CO., INC., Rural Route 2, Box 370, Mosinee, Wis. 54455. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, in vehicles, equipped with mechanical refrigeration (except bulk in tank), between Eau Claire, Wis. and Fairmont, Minn. and (2) *cheese*, in vehicles equipped with mechanical refrigeration, between Portage, Wis. and Fairmont, Minn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 113678 (Sub-No. 380), filed April 24, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Duane W. Acklie and Richard Peterson, Post Office Box 806, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, from Marysville, Pa., to points in Tennessee, Oklahoma, Louisiana, Arkansas, Mississippi, Alabama, Michigan, Missouri, Utah, California, Washington, Arizona, New Mexico, Texas, Georgia, Florida, North Carolina, South Carolina, Virginia, Illinois, Kentucky, Nebraska, Colorado, Minnesota, Kansas, Wisconsin, and Iowa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 113828 (Sub-No. 177), filed May 4, 1970. Applicant: O'BOYLE TANK LINES, INC., 4848 Cordell Avenue, Washington, D.C. 20014. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006, and John F. Grimm (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, from Cheraw and Lexington, S.C., to points in North Carolina. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no *present* intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 413865 (Sub-No. 13), filed April 21, 1970. Applicant: LEESER & STAUFER TRUCK SERVICE, INC., R. R. No. 1, Taylor, Mo. 63471. Applicant's representative: Robert T. Lawley, 308 Reisch

Building, Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry animal and poultry feeds, dry animal and poultry mineral mixtures, animal and poultry tonics and medicines, insecticides*, in containers (other than agricultural), *livestock and poultry feeders and equipment* and *premiums and advertising matter* relating to such products from the plantsite of the Moorman Manufacturing Co. at or near Quincy, Ill., to points in Tennessee; (2) *dry ingredients for animal and poultry feeds, dry animal and poultry feeds*, from points in Mississippi to the plantsite of the Moorman Manufacturing Co. at or near Quincy, Ill., and (3) *livestock and poultry feeders and equipment* from the plantsite of the Moorman Manufacturing Co. at or near Quincy, Ill., to points in Missouri, Arkansas, Louisiana, Kentucky, Kansas and Mississippi, under contract with Moorman Manufacturing Co., Quincy, Ill. **NOTE:** Applicant holds common carrier authority under MC 123245, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Springfield or Chicago, Ill.

No. MC 114194 (Sub-No. 155), filed April 24, 1970. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. 62201. Applicant's representative: Donald D. Metzler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners, and blends thereof*, in bulk, from the Tri-City Regional Port Complex, located in Madison County, Ill., to points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 114273 (Sub-No. 65), filed April 20, 1970. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, 3930-16th Avenue SW., Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315 Commerce Exchange Building, 2720 First Avenue NE., Cedar Rapids, Iowa 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities utilized by Oscar Mayer & Co.,

Inc., at Davenport, Iowa, from the plantsite of Oscar Mayer & Co., at Perry, Iowa, and from the cold storage facilities utilized by Oscar Mayer & Co., at Des Moines, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the above-named plant sites and cold storage facilities utilized by Oscar Mayer & Co., and destined to the above-specified destination points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 66) filed April 30, 1970. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC. Post Office Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Kenneth F. Dudley, 901 S. Madison Ave., Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and packinghouse products*, except hides, skins and pieces thereof, as set forth in Sections A and C, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *foodstuffs* in mixed truckloads with meats, meat products and packinghouse products, from Austin, Minn., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Indiana, Ohio, Michigan, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, the District of Columbia, and points in Cook County, Ill., restricted to traffic originating at the plantsite and warehouse facilities of George A. Hormel & Co., Austin, Minn., and destined to points in the States named. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 114939 (Sub-No. 42), filed April 17, 1970. Applicant: BULK CARRIERS LIMITED, Box 10, Cooksville, Ontario, Canada. Applicant's representative: Robert D. Schuler, One Woodward Avenue—Suite 1700, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous aluminum chloride*, dry, in bulk, in tank vehicles, from ports of entry on the United States-Canadian Boundary line on the St. Clair, Detroit, Niagara, and St. Lawrence Rivers, to points in Alabama, Florida, Louisiana, Maryland, Mississippi, Ohio, Texas and West Virginia, restricted to traffic originating at points in Ontario, Canada. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Buffalo, N.Y.

No. MC 115331 (Sub-No. 281), filed April 21, 1970. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill.

62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal and charcoal briquettes*, and *accessories* used in outdoor cooking when moving in mixed loads with charcoal and charcoal briquettes, from Branson, Mo., to points in Illinois, Iowa, Kansas, Missouri, Oklahoma, and Wisconsin; and *charcoal and charcoal briquettes*, from Meta, Mo., to points in Arkansas, Indiana, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, Ohio, Oklahoma, Tennessee, Wisconsin, New Mexico, Texas, Colorado, Wyoming, North Dakota, and South Dakota. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 115331 (Sub-No. 282), filed April 21, 1970. Applicant: TRUCK TRANSPORT, INCORPORATED, 1931 North Geyer Road, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in containers, from points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, New York, Pennsylvania, West Virginia, Wisconsin, Georgia, Florida, Tennessee, Ohio, Alabama, Louisiana, Mississippi, Texas, New Jersey, California, and Nevada to El Paso, Ill., and points within 5 miles thereof. **NOTE:** Applicant states that the proposed authority could be tacked at El Paso with applicant's presently-held authority under its Sub No. 91. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC-115841 (Sub-No. 378), filed April 27, 1970. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley, (Same address as applicant), and E. Stephen Heisley, 666 11th St. N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk), from Indianapolis, Washington, and Evansville, Ind.; and Louisville, Ky., to points in that part of the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the United States-Canada Boundary line, and points in Minnesota and Louisiana. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Indianapolis, Ind., or Washington, D.C.

No. MC 115841 (Sub-No. 377), filed April 30, 1970. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway (Post Office Box 2169), Birmingham, Ala. 35201. Applicant's representatives: E. Stephen Heisley, 666 11th Street, NW., Washington, D.C. 20001, and C. E. Wesley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shortening, margarine, vegetable and meat oils, and compounds* (except in bulk), from Chattanooga, Tenn., to points in Illinois, Indiana, Kansas, Kentucky, Maine, Michigan, Ohio, Oklahoma, New Hampshire, Texas and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville or Chattanooga, Tenn.

No. MC 116014 (Sub-No. 51), filed April 30, 1970. Applicant: OLIVER TRUCKING COMPANY, INC., Post Office Box 53, Winchester, Ky. 40391. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, hardwood, flooring, wood molding, plywood, paneling and accessories* therefor when shipped with any of the commodities named, from points in Davidson, Madison, Putnam, Shelby and Tipton Counties, Tenn., to points in Delaware, Maryland, North Carolina, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, or Memphis, Tenn.

No. MC 116077 (Sub-No. 295), filed April 24, 1970. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, Houston, Tex. 77001. Applicant's representative: Pat H. Robertson, Suite 401, First National, Life Bldg., Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Organic peroxides and percarbonates*, in containers, (1) from Barberton, Ohio, to Lake Charles, La., and (2) from Lake Charles, La., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Lake Charles, or New Orleans, La.

No. MC 116763 (Sub-No. 164), filed April 27, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus products, not canned nor frozen*, in straight or mixed shipments, from Bradenton, Fla., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky (ex-

cept Owensboro, Ky.), Louisiana on and north of U.S. Highway 80, Maine, Lower Peninsula of Michigan, Minnesota, Mississippi on and north of U.S. Highway 80, Missouri, New Hampshire, Ohio, Tennessee, Tyler, Tex., and points in that part of Texas bounded on the south by a line beginning at the Louisiana-Texas State line and extending along U.S. Highway 80 to Fort Worth, Tex., and bounded on the west by a line beginning at Fort Worth, Tex., and extending in a northerly direction along Interstate Highway 35W to Denton, Tex., thence in a northerly direction along Interstate Highway 35 to the Texas-Oklahoma State line, including points on the indicated portions of the highways specified, Vermont, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 116763 (Sub-No. 165), filed April 27, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned fruits and vegetables*; and (2) *fresh fruits and vegetables*, in mixed shipments, the transportation of which is partially exempt from economic regulations under Section 203(b)(6) of the Act when transported in mixed shipments with (1) above, from Lake Jem, Fla., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky (except Owensboro, Ky.), Louisiana on and north of U.S. Highway 80, Maine, Lower Peninsula of Michigan, Minnesota, Mississippi on and north of U.S. Highway 80, Missouri, New Hampshire, New York, Ohio, Pennsylvania, Tennessee, Tyler, Tex., and points in that part of Texas bounded on the south by a line beginning at the Louisiana-Texas State line and extending along U.S. Highway 80 to Ft. Worth, Tex., and bounded on the west by a line beginning at Ft. Worth, Tex., and extending in a northerly direction along Interstate Highway 35W to Denton, Tex., thence in a northerly direction along Interstate Highway 35 to the Texas-Oklahoma State line, including points on the indicated portions of the highways specified, Vermont, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 116763 (Sub-No. 166), filed April 27, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters, (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and animal feed*, from Athens and Atlanta, Ga., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Missis-

issippi, Nebraska, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116763 (Sub-No. 167), filed May 1, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are manufactured, processed, or dealt in by rubber products manufacturers, and materials and supplies used in the conduct of such businesses* (except in bulk), between the plantsite of General Tire and Rubber Company, at or near Mayfield, Ky., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Louisiana, Michigan, Mississippi and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 116763 (Sub-No. 168), filed May 1, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk and frozen), from Hamlin, Holley and Williamsom, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. NOTE: Applicant states it could tack with its Subs 19 and 62 to provide service from Owensboro, Ky., and Charleston, Parkersburg and Wheeling, W. Va. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Rochester or Buffalo, N.Y.

No. MC 116763 (Sub-No. 169), filed May 4, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West St., Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Furnaces, furnace radiators, air conditioners, air cleaners, coolers, heaters, roof fasteners*, and (2) *parts and accessories* used in installation of items named in (1) above, from Bryan, Ohio, to points in New Jersey, New York, and Pennsylvania, and (3) *prepared and preserved foodstuffs* (except frozen foods and commodities in bulk), from New Iberia and Lafayette, La., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin (except Milwaukee, Wis.). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority is sought. If a

hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117565 (Sub-No. 28), filed April 29, 1970. Applicant: MOTOR SERVICE COMPANY, INC., 237 South Fifth Street, Coshocton, Ohio 43812. Applicant's representative: Louis J. Amato, P. O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Module and/or modular units*, from points in Medina and Cuyahoga Counties, Ohio to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cleveland or Columbus, Ohio.

No. MC 117565 (Sub-No. 29), filed May 11, 1970. Applicant: MOTOR SERVICE COMPANY, INC., 237 South Fifth Street, Coshocton, Ohio 43812. Applicant's representative: Louis J. Amato, P. O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Motor homes and camper coaches*, between points in the United States. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus or Cleveland, Ohio.

No. MC 117765 (Sub-No. 101), filed April 29, 1970. Applicant: HAHN TRUCK LINE, INC., 5315 North West Fifth, Post Office Box 75267, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Linseed, linseed products and linseed by-products*, from Mankato, Minneapolis, St. Paul and Red Wing, Minn. to points in Colorado and Iowa.; (2) *pitch lignin*, dry, in bags or barrels, from Appleton, Wis. to points in Arkansas and Colorado.; (3) *charcoal briquettes*, in containers, from Dickinson, N. Dak. to points in Colorado, Louisiana and New Mexico, and (4) *Lignite Char logs*, in containers, from Isanti, Minn. to points in Colorado, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 118142 (Sub-No. 35) (Correction), filed March 31, 1970, published in the FEDERAL REGISTER issue of April 30, 1970, corrected and republished in part, as corrected, this issue. Applicant: M. BRUENGER CO., INC., 6330 North Broadway, Wichita, Kans. 67219. Applicant's representative: James Miller 6415 Willow Lane, Shawnee Mission, Kans. NOTE: The purpose of this partial republication is to show the correct address of applicant's representative as Shawnee Mission, Kans., in lieu of Kansas City, Kans. The rest of the application remains the same.

No. MC 118904 (Sub-No. 17), filed April 16, 1970. Applicant: MOBILE HOME EXPRESS, LTD., a corporation, 1915 "F" Avenue, Lawton, Okla. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* designed to be drawn by passenger automobiles, in initial movements; and (2) *buildings complete*, knocked down or in sections, when moved on wheeled undercarriages, from Oklahoma City, Okla., to points in the United States (including Alaska but excepting Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Dallas, Tex., or Washington, D.C.

No. MC 118904 (Sub-No. 18), filed May 1, 1970. Applicant: MOBILE HOME EXPRESS, LTD., 1915 "F" Ave., Lawton, Okla. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* designed to be drawn by passenger automobiles, in initial movement and (2) *buildings complete*, knocked down or in sections, when moved on wheeled undercarriages, from points in Garvin County, Okla., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Dallas, Tex., or Washington, D.C.

No. MC 118989 (Sub-No. 45), filed May 11, 1970. Applicant: CONTAINER TRANSIT INC., 5223 South 9th Street, Milwaukee, Wis. 53211. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers and container ends*, from the plantsite of Continental Can Corporation in Chicago, Ill., to Fremont, Nebr. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 119302 (Sub-No. 9), filed April 24, 1970. Applicant: MILLER TRANSFER AND RIGGING CO., a Corporation, P.O. Box 6077, Akron, Ohio 44312. Applicant's representative: A. David Millner, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Brass and copper*, from Cleveland, Ohio to Green Island, Lockport, Melville and New York, N.Y.; Dedham and Attleboro, Mass.; Bridgeport, Plainville and Waterbury, Conn.; and Providence and Warwick, R.I.; and (2) *brass and copper scrap*, from Green Island, Lockport, Melville and New York, N.Y.; Dedham and Attleboro, Mass.; Bridgeport, Plainville and Waterbury, Conn.; Providence and War-

wick, R.I., to Cleveland, Ohio. Restriction: Operations to be limited to a transportation service to be performed under a continuing contract or contracts with Chase Brass and Copper Corp., at Cleveland, Ohio. NOTE: Applicant presently holds common carrier authority under its MC 87103 and subs, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 119362 (Sub-No. 3) (Correction), filed March 9, 1970, published FEDERAL REGISTER, issue of April 2, 1970, and republished as corrected this issue. Applicant: DEWALL TRUCKING SERVICE, INC., 1924 23rd Avenue, Rockford, Ill. 61101. Applicant's representative: Harold E. Marks, 208 S. LaSalle Street, Chicago, Ill. 60604. NOTE: The purpose of this correction is to correct the docket number to MC 119362 (Sub-No. 3) in lieu of MC 119632 (Sub-No. 3), which was in error.

No. MC 119632 (Sub-No. 37), filed April 30, 1970. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, Ohio 43512. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers and materials and supplies* used in the conduct of such businesses, between Mayfield, Ky., on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, the lower peninsula of Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island and West Virginia. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119641 (Sub-No. 87), filed April 24, 1970. Applicant: RINGLE EXPRESS, INC., 450 South Ninth Street, Fowler, Ind. 47944. Applicant's representative: Robert C. Smith, 711 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Gypsum products, composition boards, insulating materials, roofing materials, urethane and urethane products and related materials, supplies and accessories incidental thereto* (except commodities in bulk), (1) from Edgewater, Carteret and Port Newark, N.J., and Pittston, Pa., to points in Arkansas, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Ohio, Tennessee, West Virginia, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Virginia, Nebraska, and Pennsylvania, and (B) *building, roofing and insulating materials*, (2) from Jamesburg, N.J., to points in Arkansas, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Ohio, Tennessee, West Virginia, Minnesota, Iowa, Kansas, Missouri, Wisconsin, Virginia, Nebraska and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked

with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 119741 (Sub-No. 35), filed April 23, 1970. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., P. O. Box 1235, Fort Dodge, Iowa 50501. Applicant's representative: Marshall D. Becker, 630 City National Bank Bldg., Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except in bulk), in vehicles equipped with mechanical refrigeration, from Jacksonville (Morgan County), Ill., to points in Connecticut, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (2) *cheese and cheese products*, in vehicles equipped with mechanical refrigeration, from points in Wisconsin to the plantsite and/or storage facilities of Anderson, Clayton & Co. located at or near Jacksonville (Morgan County), Ill. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that it holds certain duplicating authority which will be subjected to the usual restriction. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 242), filed May 5, 1970. Applicant: BEAVER TRANSPORT CO., a Corporation, 100 S. Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Torhorst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Watertown, Wis., to points in the Upper Peninsula of Michigan, and to Davenport, and Dubuque, Iowa. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 119908 (Sub-No. 8) (CORRECTION), filed March 19, 1970, published FEDERAL REGISTER issue of May 7, 1970, corrected and republished as corrected, this issue. Applicant: WESTERN LINES, INC., 3523 N. McCarty—P.O. Box 1145, Houston, Tex. 77001. Applicant's representative: William P. Sullivan, Federal Bar Bldg., 1819 H Street, N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry manufactured fertilizer*, in bulk and in bags, from Luling, La., and points within 5 miles thereof, to points in Kansas, Oklahoma, Texas, New Mexico, Missouri (except St. Louis), and Arkansas (except points on U.S. Highway 61); (2) *Dry fertilizer*, in bags and in bulk,

from Houston, Tex., to points in Louisiana (except Shreveport, La.); (3) *Dry manufactured fertilizer*, from St. Francis, Tex., to points in Iowa, Kansas, Missouri, Nebraska, and Oklahoma; and (4) *Petroleum products*, in containers, from Kansas City, Kans., to points in Texas on and West of U.S. Highway 281; and *damaged and defective shipments of petroleum products, and empty containers*, therefor, from points in the immediately above-specified destination territory, to Kansas City, Kans.; (5) *manufactured fertilizer*, from Etter, Tex., to points in Oklahoma, Kansas, Nebraska, Iowa, and Missouri; (6) *animal feed supplements and industrial urea products*, in bags, from the plant site of the Monsanto Chemical Company at or near El Dorado, Ark., to points in Kansas, Oklahoma, New Mexico, and Texas;

(7) *Animal feed supplements*, in bulk, from the plantsite of the Monsanto Chemical Company, at or near El Dorado, Ark., to points in Kansas, Oklahoma, New Mexico, and Texas (except Houston, Tex.); (8) *industrial urea*, in bulk, from the plantsite of the Monsanto Chemical Company, at or near El Dorado, Ark., to points in Kansas, Oklahoma, New Mexico, and Texas (except Houston and points within 50 miles of Houston); (9) *petroleum products*; in containers, from Kansas City, Kans., to points in Louisiana, and points in that part of Texas east of U.S. Highway 281; (10) *dry ammonium nitrate, and dry fertilizer*, from points in Pike County, Mo., to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas; (11) *containers*, from Camden, Ark., and points in Louisiana and New Mexico, to points in Pike County, Mo.; (12) *dry ammonium nitrate and dry fertilizer*, from points in Pike County, Mo., to points in Arkansas; and (13) *containers*, from Camden, Ark., to points in Pike County, Mo. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. It further states the purpose of the instant application is to convert its presently authorized contract carrier permit MC 110814 and subs thereunder to common carrier authority. The purpose of this republication is to include items (5) through (13) which were inadvertently omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or New Orleans, La.

No. MC 120378 (Sub-No. 5), filed April 27, 1970. Applicant: FINDLAY TRUCK LINE, INC., 420 Trenton Ave., Findlay, Ohio 45840. Applicant's representative: James W. Muldoon, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except classes A and B explosives, commodities in bulk, household goods, articles of unusual value, and those requiring special equipment, (1) between Findlay and McComb, Ohio; from Findlay, Ohio over U.S. Highway 224, to junction Ohio Highway 186, thence over Ohio Highway 186 to McComb, Ohio, and return over the

same route, serving all intermediate points; and (2) between McComb and Toledo, Ohio; from McComb, Ohio, over Ohio Highway 235 to junction of Ohio Highway 65, thence over Ohio Highway 65 to Toledo, Ohio, and return over the same route, serving all intermediate points between McComb, Ohio, and junction of Ohio Highway 235 and Ohio Highway 65, and serving the off-route point of Deshler, Ohio. **Restriction:** Restricted against service to that part of the Toledo, Ohio Commercial Zone which lies within the State of Michigan. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Toledo or Columbus, Ohio.

No. MC 120737 (Sub-No. 8), filed April 21, 1970. Applicant: STAR DELIVERY & TRANSFER, INC., R.R. No. 5, Box 39, Canton, Ill. 61520. Applicant's representative: Chester J. Claudon, 121 West Elm Street, Canton, Ill. 61520. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implement parts, agricultural machinery parts, and tractor parts*, between Louisville, Ky., on the one hand, and, on the other, points in Adams County, Ill. **NOTE:** Applicant states that tacking will occur at an area between points within a 50-mile radius of Pottstown, Ill., on the one hand, and, on the other, Chicago, Rock Island, East St. Louis, and Moline, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 120737 (Sub-No. 9), filed April 30, 1970. Applicant: STAR DELIVERY & TRANSFER, INC., Rural Route No. 5, Box 39, Canton, Ill. 61520. Applicant's representative: Chester J. Claudon, 121 West Elm St., Canton, Ill. 61520. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rubber articles*, natural and synthetic, between Conneautville, Pa., on the one hand, and, on the other, points in Fulton County, Ill. **NOTE:** Applicant states that it intends to tack in order to serve points within a 50-mile radius of Pottstown, Ill., on the one hand, and, on the other, Chicago, Rock Island, East St. Louis, and Moline, Ill. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 120800 (Sub-No. 27), filed May 11, 1970. Applicant: CAPITOL TRUCK LINE, INC., 2500 North Alameda Street, Compton, Calif. 90222. Applicant's representative: David P. Christianson, 825 City National Bank Bldg., 606 South Oliver Street, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid nitrogen and liquid oxygen*, in bulk in specially designed tank trailers, from Michoud, La., to Mississippi Test Facility, Bay St. Louis (Santa Rosa), Miss. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 123069 (Sub-No. 11), filed May 7, 1970. Applicant: ALLER & SHARP,

INC., 817 West Fifth Ave., Columbus, Ohio 43212. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, except commodities in bulk, in tank vehicles, from Washington, Evansville, and Indianapolis, Ind., and Louisville, Ky., to points in Pennsylvania, Michigan, Illinois, Tennessee, Ohio, West Virginia, and Kentucky. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123383 (Sub-No. 48), filed April 27, 1970. Applicant: BOYLE BROTHERS, INC., 2036 South 4th Street, Camden, N.J. 08104. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, hardboard, and particleboard, and accessories* used in the installation thereof, *building, construction, heating and insulating materials, supplies and equipment, and such commodities as are dealt in by wholesale and retail hardware stores*, from Camden, N.J., to points in Maine, New Hampshire, Vermont, Ohio, Michigan, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123392 (Sub-No. 24), filed April 17, 1970. Applicant: JACK B. KELLEY, INC., 3801 Virginia, Amarillo, Tex. 79109. Applicant's representative: Grady L. Fox, 222 Amarillo Bldg., Amarillo, Tex. 79101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous hydrogen chloride*, from Fort Worth, Tex., to Henderson, Nev. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Oklahoma City, Okla.

No. MC 123993 (Sub-No. 13), filed April 24, 1970. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, La. 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry ammonium nitrate fertilizer*, in bulk or in bags, from the plant or warehouse facility of Commercial Solvents Corporation at or near Sterlington, La., to points in Alabama,

Arkansas, Mississippi, Oklahoma, Tennessee and Texas; (2) *anhydrous ammonia*, in bulk, in tank vehicles, from the plant or warehouse facility of Commercial Solvents Corporation at or near Sterlington, La., to points in Arkansas, Mississippi, and Texas; (3) *fertilizer and fertilizer solutions and materials, fungicides, herbicides and insecticides* from the plant site of the Gulf Oil Corporation (Faustina Works) near Donaldsonville, La., to points in Alabama, Arkansas, Mississippi, Missouri, Oklahoma, Tennessee and Texas; (4) *dry fertilizer, dry fertilizer ingredients and dry fertilizer materials* from the plant or warehouse facility of Olin Corporation at Lake Charles, La., to points in Arkansas, Louisiana, Mississippi, Oklahoma and Texas; (5) *industrial urea*, from the plant or warehouse facility of Olin Corporation at Lake Charles, La., to Lufkin, Tex., and (6) *soda ash*, in bags, from the plant or warehouse facility of Olin Corporation at Lake Charles, La., to Deer Park, Tex. **NOTE:** Applicant states that it presently has contract carrier authority under MC 41116 and subs thereunder, to perform the above service. It seeks to convert such contract carrier permits to common carrier certificates. Dual operations may be involved. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, or Baton Rouge, La., or Washington, D.C.

No. MC 124154, (Sub-No. 35), filed April 27, 1970. Applicant: WINGATE TRUCKING COMPANY, INC., P.O. Box 645, Albany, Ga. 31702. Applicant's representative: W. Guy McKenzie, Jr., P.O. Box 1200, Tallahassee, Fla. 32302. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals and agricultural chemical materials*, in containers, between points in Alabama, Louisiana, Mississippi, Tennessee, Texas, and Pace, Fla. **NOTE:** Applicant states that under existing Sub 19 authority could be tacked at Pace, Fla., or points in Alabama to allow service between Florida, Georgia and the States named in the instant application. Service between Virginia, North Carolina, and South Carolina is possible, if applicant's pending Sub 27 be granted, by tacking at points in Georgia and Alabama. Applicant holds contract carrier authority under Docket No. MC 117504 (Sub-No. 1), therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 124489 (Sub-No. 5), filed April 21, 1970. Applicant: NIELSON BROS. CARTAGE CO., INC., 4619 West Homer Street, Chicago, Ill. 60639. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by retail food service businesses*, from Chicago, Ill., to points in Milwaukee, Kenosha, Racine, and Rock Counties, Wis., and Lake County, Ind., restricted to a transportation service to

be performed under a continuing contract or contracts with Dore Popcorn Company. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124708 (Sub-No. 22), filed April 23, 1970. Applicant: MEAT PACKERS EXPRESS, INC., 222 South 72d Street, Omaha, Nebr. 68114. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned vegetables and citrus products*, and (2) *commodities*, the transportation of which is partially exempt under the provisions of Section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with (1) above, from points in Florida to points in the United States (except Hawaii and Alaska) under contract with A. Duda and Sons Coop Ass'n. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124708 (Sub-No. 23), filed April 24, 1970. Applicant: MEAT PACKERS EXPRESS, INC., 222 South 72d Street, Omaha, Nebr. 68114. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles* distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C. 209 and 766, except hides and commodities in bulk, in tank vehicles, from Denison, Iowa and Iowa Falls, Iowa, to points in Arizona, California, Nevada, Oregon and Washington, under contract with Farmbest, Inc. **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. It further states if the authority sought is granted, it will surrender its existing permit from Denison to same States contained in MC 124708 Sub 2. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 125403 (Sub-No. 6) (Amendment), filed April 13, 1970, published in the FEDERAL REGISTER, issue of May 14, 1970, and republished as amended, this issue. Applicant: S. T. L. TRANSPORT, INC., 1000 Jefferson Road, P.O. Box 9776, Rochester, N.Y. 14623. Applicant's representative: Raymond A. Richards, 23 W. Main Street, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned preserved foodstuffs* (except coldpack or frozen or in bulk), from Phelps, Shorts and Gorham, N.Y., and the plantsites and storage facilities of Comstock-Greenwood Foods, Borden, Inc., at Penn Yan, Rushville, Syracuse and Waterloo, N.Y.,

to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to broaden the territorial scope of the application. If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 125899 (Sub-No. 13), filed April 29, 1970. Applicant: JOHN McCABA, 1804 S. 27th Avenue, Phoenix, Ariz. 85009. Applicant's representative: Donald E. Fernaays, 4114 A North 20th Street, Phoenix, Ariz. 85009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone*, (1) between points in California on the one hand, and, on the other, points in Nevada; (2) from points in California and Nevada, on the one hand and, on the other points in Washington (including the port of entry on the International Boundary line between the United States and Canada, located at Blaine, Wash.) and Oregon. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Portland, Oreg.

No. MC 126305 (Sub-No. 26), filed April 28, 1970. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., R.D. 1, Clayton, Ala. 36016. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and millwork*, from points in Jackson and Dixie counties, Fla., to points in Alabama, Louisiana, Texas, Oklahoma, Tennessee, Kentucky, Georgia, North Carolina, South Carolina and Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Birmingham, Ala.

No. MC 126305 (Sub-No. 27), filed April 28, 1970. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., R.D. 1, Clayton, Ala. 36016. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used farm equipment, materials and supplies*, between Dothan, Ala., on the one hand, and, on the other, points in Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Mississippi, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 126548 (Sub-No. 2), filed April 29, 1970. Applicant: ASCENZO & SONS, INC., 535 Brush Avenue, Bronx, N.Y. 10465. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York,

N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Philadelphia, Pa. to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; under contract with the North Atlantic Steel & Construction Materials Corp. NOTE: Applicant holds common carrier authority under MC 95965, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Philadelphia, Pa.

No. MC 126514 (Sub-No. 20), filed May 4, 1970. Applicant: HELEN H. SCHAEFER AND EDWARD P. SCHAEFER, a Partnership, 5200 West Bethany Home Road, Glendale, Ariz. 85301. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Greeting cards, envelopes, sample albums, wrappings and related trappings*, from Westfield, Mass., to Livermore, Los Angeles, San Francisco, and Pasadena, Calif. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC 127042 (Sub-No. 57), filed May 1, 1970. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6—Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from the plantsite and storage facilities utilized by Wilson Certified Foods, Inc., at or near Cherokee, Iowa, to points in Kansas and Missouri, and East St. Louis, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 127042 (Sub-No. 58) filed May 5, 1970. Applicant: HAGEN, INC., 4120 Floyd Blvd. (P.O. Box 6—Leeds Station), Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209 and 766, except hides and commodities in bulk, from the

plant sites and storage facilities utilized by Wilson Sinclair Co., at Albert Lea, Minn., to points in Kansas, Missouri, North Dakota and South Dakota, restricted to the transportation of traffic originating at the above-specified plant site and storage facilities and destined to the named destination. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 127867 (Sub-No. 4) filed May 7, 1970. Applicant: TRANSOL COMPANY, a Corporation, 116 Forest Avenue, Des Moines, Iowa 50314. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Solvents*, from Avondale, Mo., to points in Iowa, Illinois, Nebraska, South Dakota, and Wisconsin, under contracts with Barton Naphtha Corp., Barton Solvents, Inc., and Barton Solvents Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 128205 (Sub-No. 13) filed April 30, 1970. Applicant: BULKMATIC TRANSPORT COMPANY, a Corporation, 4141 George St., Schiller Park, Ill. 60176. Applicant's representative: Irving Stillerman, 29 South La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, in pneumatic tank vehicles, from Fort Wayne, Ind., to Chicago, Ill., and points in the Chicago, Ill., commercial zone. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128273 (Sub-No. 68) (Clarification), filed April 16, 1970, published in the FEDERAL REGISTER issue of May 14, 1970, amended and republished as amended, this issue. Applicant: MIDWESTERN EXPRESS, INC., Box 189, Fort Scott, Kans. 66701. Applicant's representative: Danny Ellis (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, products produced or distributed by manufacturers and converters of paper and paper products; materials and supplies* used in the manufacture and distribution of the foregoing commodities (except commodities which because of size or weight, require the use of special equipment and commodities in bulk): (1) Between Memphis, Tenn., on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, and Texas; and (2) between Conway, Ark., on the one hand, and, on the other, points in California, Connecticut, New York, North Carolina, South Carolina, Tennessee and Wisconsin. NOTE: Applicant is also authorized to operate as a contract carrier under MC 133791, therefore, dual operations may be involved. The purpose of this republication is to

correctly set forth the commodity description and territorial scope. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128273 (Sub-No. 70), filed May 1, 1970. Applicant: MIDWESTERN EXPRESS, INC., Box 189, Fort Scott, Kans. 66701. Applicant's representative: Danny Ellis (Same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from Houston, Tex., and Port Arthur, Tex., to points in Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Wyoming, Mississippi and Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant has a pending contract authority under MC 133791, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 128343 (Sub-No. 11), filed May 5, 1970. Applicant: C-LINE, INC., Tourtellot Hill Road, Chapachet, R.I. 02814. Applicant's representative: Ronald N. Cobert, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nails* from Bridgewater, Mass., to points in the United States (except Alaska and Hawaii), and (2) *materials, equipment, and supplies*, used in the manufacture and distribution of nails from points in the United States (except Alaska and Hawaii), to Bridgewater, Mass.; under contract with Independent Nail, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Providence, R.I.

No. MC 128375 (Sub-No. 41), filed April 24, 1970. Applicant: CRETE CARRIER CORPORATION, Post Office Box 349, Crete, Nebr. 68333. Applicant's representative: Duane W. Ackle, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automobile parts and equipment, materials and supplies* used in the manufacture thereof, between Rushville, Nebr., Wilmington, Del., and points in California, Missouri, and Kansas, on the one hand, and, on the other, points in Illinois, Colorado, Michigan, Indiana, Ohio, Georgia, Pennsylvania, and Marianna, Ark., Cleveland, Miss., Humboldt, and Red Oak, Iowa, Memphis, Tenn., Columbus, Nebr., Milwaukee, Wis., and points in the St. Paul and Minneapolis, Minn., Commercial Zones; between Phenix City, Ala., on the one hand, and, on the other, points in Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Texas, Virginia, West Virginia, and Wisconsin; under contract with Douglas & Lomason Co. NOTE: If a hearing

is deemed necessary, applicant requests it be held at Omaha, or Lincoln, Nebr.

No. MC 128621 (Sub-No. 1), filed April 28, 1970. Applicant: F. B. Y. HAULAGE CORP., 4500 Second Ave., Brooklyn, N.Y. 11232. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, except in bulk, between piers in the New York Harbor, N.Y., as defined by the Commission, on the one hand, and, on the other, Farmingdale, N.Y., under contract with Banfi Products Corporation. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 128858 (Sub-No. 3), filed April 24, 1970. Applicant: FRANK LOYAL ZWICKER, R.R. No. 3, Bridgewater (Lunenburg County), Nova Scotia, Canada. Applicant's representative: Allan Green, 433 Roy Building, 1657 Barrington Street, Halifax, Nova Scotia, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass boats and accessories* (all types), from ports of entry on the International Boundary line between the United States and Canada in Maine to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Delaware, Maryland, Virginia, North Carolina, South Carolina, Wisconsin, Rhode Island, New Jersey, Georgia, Florida, Pennsylvania, Ohio, Michigan, Indiana, Illinois, and the District of Columbia, under contract with Industrial Shipping Co., Ltd. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

No. MC 128866 (Sub-No. 13), filed April 17, 1970. Applicant: B & B TRUCKING, INC., Post Office Box 128, Cherry Hill, N.J. 08034. Applicant's representative: Daniel L. O'Conner, 1815 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Class I aluminum end stocks and/or body stock skeletons* in bales or briquettes not lacquered, painted, coated, or in any way contaminated, from the plantsites of Penny Plate, Inc., at Cherry Hill, N.J., and Searcy, Ark., to the plantsite of the Aluminum Company of America at Davenport, Iowa, under contract with Penny Plate, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 128867 (Sub-No. 2), filed April 27, 1970. Applicant: GERALD A. McCAHILL AND JAMES W. NADEAU, a partnership, doing business as G AND J CARTAGE COMPANY, 20536 Pennsylvania Rd., Taylor, Mich. 48180. Applicant's representative: Edward Sanders, 1551 Penobscot Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bulk sand molding, bonded*, for Lawrence Refractories Co., in bins on flat-bed trailers and return of *rejected shipments*, from South Rockwood, Mich., to the plantsite

of Jones & Laughlin Steel Corp., Cleveland, Ohio; under contract with Lawrence Refractories Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., Cleveland, Ohio, or Washington, D.C.

No. MC 129071 (Sub-No. 8), filed May 4, 1970. Applicant: WHITEHALL TRANSPORT, INC., Post Office Box 387, Whitehall, Wis. 54773. Applicant's representative: A. R. Fowler, 2288 University Ave., St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed, whey, powdered and/or dried milk solids, containing additives of corn flour and/or other ingredients* that may be in excess of the additive tolerances as an exempt commodity, from New York, N.Y., New Jersey, and Charleston, S.C. steamship and port locations and warehouses to points in Minnesota and Wisconsin, under contract with Ralston Purina Company, M. E. Franks, Inc., and Provimi, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 129275 (Sub-No. 1), filed May 4, 1970. Applicant: JACK ROBERTS, doing business as F & H TRUCKING CO., 6029 Gifford Ave., Huntington Park, Calif. 90255. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Suite 211, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Store and restaurant fixtures and equipment*, crated and uncrated in same shipment, when moving to a store or restaurant for installation, on flatbed vehicles, from points in Los Angeles County, Calif. to points in the United States (except Alaska, Hawaii, Arizona, Nevada, New Mexico, and Texas), under contract with Eng-Skell Co., Inc.

No. MC 129526 (Sub-No. 2) (Correction), filed April 6, 1970, published in the FEDERAL REGISTER issue of May 14, 1970, and republished as corrected, this issue. Applicant: FACTOR TRUCK SERVICE, INC., 1065 Alcott Street, Philadelphia, Pa. 19149. Applicant's representative: Robert B. Einhorn, 1540 P.S.F.S. Building, 12 South 12th Street, Philadelphia, Pa. 19107. The purpose of this republication is solely to show an additional shipper, Quaker City Electric Company along with Keystone Lighting Corporation, as being under contract with applicant. The rest of the application remains the same.

No. MC 129749 (Sub-No. 1), filed April 22, 1970. Applicant: FOUNDRY SERVICE CORPORATION, 11 South 3rd Street, Post Office Box 499, Hammonton, N.J. 08037. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by distributors of foundry supplies and industrial minerals, and in connection therewith, *materials, supplies and equipment* used in the conduct of such business (except in bulk), between Philadelphia, Pa., and Winslow Township,

N.J., on the one hand, and, on the other, points in Pennsylvania, New Jersey, Delaware, Maryland, the District of Columbia, Virginia, West Virginia, New York, Connecticut, Massachusetts and Rhode Island, under contract with Pennsylvania Foundry Supply & Sand Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 133240 (Sub-No. 7), filed April 30, 1970. Applicant: WEST END TRUCKING CO., INC., 530 Ducan Ave., Jersey City, N.J. 07306. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, in cartons, between New York, N.Y., and Seacucus, N.J., on the one hand, and, on the other, Augusta, Atlanta, Columbus, Macon, Marietta, and Savannah, Ga., under contract with Holly Stores, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 133566 (Sub-No. 3) filed April 21, 1970. Applicant: ROBERT GANGLOFF AND ROBERT DOWNHAM, a Partnership, doing business as, GANGLOFF & DOWNHAM, Post Office Box 676, Logansport, Ind. 46947. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk in tank vehicles), from Washington, Evansville and Indianapolis, Ind., and Louisville, Ky., to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Maine, Massachusetts, Maryland, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133655 (Sub-No. 28), filed April 15, 1970. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packing-houses* as described in Sections A, B and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Greeley, Colo., to points in Maine, Vermont, New Hampshire, Massachusetts, New York, Pennsylvania, New Jersey, Delaware, the District of Columbia, Maryland, North Carolina, South Carolina, Georgia, Alabama and Florida. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a

hearing is deemed necessary, applicant requests it be held at Amarillo or Dallas, Tex., or Washington, D.C.

No. MC 133655 (Sub-No. 29), filed April 30, 1970. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and commodities* otherwise exempt from economic regulation under section 203(b)(6) of the Act when transported in mixed shipments at the same time and in the same vehicle with regulated commodities, from Brunswick, Ga., to points in Arkansas, Missouri, Kansas, Oklahoma, Texas, Colorado, New Mexico, Utah, Arizona, Nevada and California. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., or Atlanta, Ga.

No. MC 133708 (Sub-No. 1), filed May 1, 1970. Applicant: FIKSE BROS., INC., 12647 East South Street, Artesia, Calif. 90701. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Suite 606, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement* in bulk, from Cushenbury, Calif., to points in Arizona and Nevada (except to Mercury Test Site Nevada and points in Clark County, Nev.). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133819 (Sub-No. 2), filed April 14, 1970. Applicant: SERVICE, INCORPORATED, 301 W. First Ave., Crossett, Ark. 71635. Applicant's representative: Edward B. Ross (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, wood shavings and sawdust*, between points in Arkansas on and south of a line beginning at the Arkansas-Texas border; thence along U.S. Highway 82 to the Arkansas-Mississippi border, on the one hand, and, on the other, points in Louisiana on or north of a line beginning at the Louisiana-Mississippi border; thence along U.S. Highway 84 to Archie, La.; thence along Louisiana Highway 28 to Alexandria, La.; thence along Louisiana Highway 1 to the junction of U.S. Highway 84; thence along U.S. Highway 84 to the Louisiana-Texas border, under contract with Georgia-Pacific Corporation. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Baton Rouge, La.

No. MC 133922 (Sub-No. 3), filed April 27, 1970. Applicant: WILLIAM H. NAGEL, doing business as JENKINS AND NAGEL TRUCKING CO., Post Office Box 98, Wolcott, Ind. 47995. Applicant's representative: Alki E. Scopelitis, 816 Merchants Bank Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soy flour*, from Decatur, Ill., Minneapolis, Minn., and Cedar Rapids, Iowa to Louisville, Ky., (2) *corn flour*, from Danville, Ill., to Louisville, Ky., (3) *delactosed whey*, from Winsted, Minn., and Mayville, Wis., to Louisville, Ky., (4) *dry milk products*, from points in Minnesota, Iowa, Nebraska, South Dakota, New York, Pennsylvania, Ohio, Michigan, and Illinois to Louisville, Ky., and (5) *dry milk products blended with soy flour, corn flour, delactosed whey, casein and caseinate*, from Louisville, Ky., to points in Texas, Arkansas, Louisiana, North Carolina, South Carolina, Pennsylvania, New York, Ohio, Michigan, Maryland, Alabama, Tennessee, Illinois, Indiana, West Virginia, Virginia, Mississippi, Georgia, Kansas, California, Iowa, Wisconsin, Arizona, Oregon, Minnesota, Florida and the District of Columbia, under contract with Dry Milks, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Louisville, Ky.

No. MC 133987 (Sub-No. 2), filed April 21, 1970. Applicant: ALL AMERICAN CAB CO., a Corporation, doing business as: AMERICAN PARCEL EXPRESS, 6123 State Street, Huntington Park, Calif. 90255. Applicant's representative: Wilmer A. Hill, 666 Eleventh Street NW, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radiopharmaceuticals* (radioactive isotopes), from Los Angeles International Airport, Los Angeles, Calif., to points in Los Angeles, Orange, Riverside, San Diego, San Bernardino, Ventura, Kern and Santa Barbara Counties, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., New York, N.Y., or St. Louis, Mo.

No. MC 134181 (Sub-No. 2), filed April 17, 1970. Applicant: DOWNTOWN TRANSFER CO., a Corporation, 4206 North Maryland Ave., Portland, Ore. 97217. Applicant's representative: Thomas G. Karter, 4410 N.E. Fremont, Portland, Ore. 97213. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances, radio, phonograph and television sets and related articles and new furniture*, between wholesale and retail stores and warehouses in Multnomah, Clackamas and Washington Counties, Ore., on the one hand, and, on the other, the facilities of retail purchasers and contractors in Clark and Cowlitz Counties, Wash. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 134285 (Sub-No. 1), filed April 24, 1970. Applicant: NORTHEAST HAULAGE, INC., 14 Derby Street, Hingham, Mass. 02043. Applicant's representative: Frank J. Weiner, 6 Beacon Street, Boston, Mass. 02108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *such commodities as are dealt in by drug stores, chain discount and department stores (except in bulk, in tank vehicles), from Holbrook, Mass., to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, New York, New Jersey and Pennsylvania; and (2) returned shipments of the above-described commodities, from the above-described destination points, to the above-described origin point.* RESTRICTION: The operations are to be limited to a transportation service to be performed under a continuing contract with Parkway Distributors, Inc., of Holbrook, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134297 (Sub-No. 1), filed April 29, 1970. Applicant: S & T VAN AND STORAGE CO., a Corporation, 114 Adeline Street, Oakland, Calif. 94607. Applicant's representative: Daniel W. Baker, 405 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods, between points in San Francisco, San Mateo, Santa Clara, Contra Costa, and Alameda Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic.* NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 134403 (Sub-No. 2), filed April 29, 1970. Applicant: LES DARR TRUCKING CO., a Corporation, 520 Grade Street, Kelso, Wash. 98626. Applicant's representative: Lawrence V. Smart, Jr., 419 N. W. 23rd Avenue, Portland, Ore. 97210. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Veneer cores and dunnage, between points in Oregon and Washington.* NOTE: If a hearing is deemed necessary, applicant requests it to be held at Portland, Ore.

No. MC 134326 (Sub-No. 1), filed April 24, 1970. Applicant: CLYDE FULLER, doing business as FULLER TRUCKING CO., Post Office Box 2171, Fort Oglethorpe, Ga. Applicant's representative: William Addams, 1776 Peachtree St., N.W., Atlanta, Ga. 30309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpet, rugs, and pads therefor, and materials and supplies used in the manufacture thereof, between the plant site of Jorge's Carpet Mills, Rossville, Ga.; Southern-Roxbury Carpet Mills, Chattanooga, Tenn.; Wade Carpet Mills, Dalton, Ga.; and Welco Carpet*

Mills, Calhoun, Ga., and points in the United States (except Alaska and Hawaii) all under contract with the aforementioned contractor shippers. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 134360 (Sub-No. 1), filed April 27, 1970. Applicant: MARVIN PENFOLD, Coon Rapids, Iowa 50058. Applicant's representative: William L. Fairbank, 610 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed and animal and poultry health aid products, from Audubon and Council Bluffs, Iowa, to points in Iowa, Kansas, Nebraska and Missouri; and (2) feed, feed ingredients, animal and poultry health aid products, and livestock feeding and watering equipment and supplies, from points in Kansas, Missouri and Nebraska, to Audubon and Council Bluffs, Iowa.* RESTRICTION: The operations proposed herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Feeders Best Choice Feeds and Feeders Supply. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 134335 (Sub-No. 2), filed April 30, 1970. Applicant: ALL FREIGHT, INC., 3200 West 65 St., Cleveland, Ohio 44102. Applicant's representative: George S. Maxwell, 955 Leader Building, 536 E. Superior St., Cleveland, Ohio 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned animal food, from Bedford, Ohio to Indianapolis and Evansville, Ind., Chicago, Ill., Muskegon, Jackson, Plymouth, Detroit, Flint, Lansing, Saginaw, Bay City, and Grand Rapids, Mich., Huntington, Parkersburg, and Clarksburg, W. Va., Knoxville, Tenn., Johnstown, Pittsburgh, Murraysville, Oakdale, Belle Vernon, Kittanning, Scranton, Harrisburg, Wilkes Barre, and York, Pa., Covington, Ky., Norwich, Buffalo, Olean, and Syracuse, N.Y., Hagerstown, La Vale, and Cumberland, Md., and Richmond, and Norfolk, Va., under contract with S. E. Mighton Co.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, or Columbus, Ohio.

No. MC 134365 (Sub-No. 2), filed April 30, 1970. Applicant: RUSSELL BARTLETT, doing business as: RUSSELL BARTLETT TRUCKING, Post Office Box 342, LaCrosse, Wash. 99143. Applicant's representative: Don J. Clark, Post Office Box 465, 1999 W. Lewis Street, Pasco, Wash. 99301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal buildings, complete, knocked down or in sections, including all components, parts, materials, supplies and fixtures, from Turlock, Calif., to points in Oregon, Idaho, and Washington, under contract with Cuckler Steel Fabricating Co., Turlock, Calif.* NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., Portland, Ore. or Seattle, Wash.

No. MC 134386 (Sub-No. 1) filed May 1, 1970. Applicant: LOOMIS COURIER SERVICE, INC., 55 Battery St., Seattle, Wash. 98121. Applicant's representative: George H. Hart, 1100 IBM, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial documents, business records, accounting and audit media, automated data processing media, and advertising materials, between points in Oregon and Washington.* NOTE: Applicant states that it applied for contract carrier authority covering a portion of the authority sought herein which was granted by permit MC 129034. This permit will be surrendered for cancellation conditioned upon grant of authority sought herein. Common control and dual operations may be involved. Applicant further states that it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Ore.

No. MC 134504 (Sub-No. 1), filed April 23, 1970. Applicant: RELIABLE KIRSCHBAUM TRUCKING CORP., 10 Leonard Street, New York, N.Y. 10013. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses as described in Sections A, B, and C of Appendix I, to the report in Descriptions of Motor Carrier Certificates, 61 M. C. C. 209 and 766 (except hides and commodities in bulk), from New York, N.Y., to points in Bergen, Hudson, Passaic, Morris, Essex, Union, Somerville, Middlesex, and Monmouth Counties, N.J., and points in Nassau, Suffolk, and Westchester Counties, N.Y., under a continuing contract or contracts with the E. Kahn's Sons Co., Cincinnati, Ohio, and Anco Cheese Imports, Inc., Byram, Conn.* NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 134517 (Sub-No. 1), filed April 29, 1970. Applicant: SAM ZASLOWSKY, 371 E. 48th Street, Brooklyn, N.Y. Applicant's representative: Samuel B. Zinder, Station Plaza East, Great Neck, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet tissue and facial tissue, from New York, N.Y. to points in New Jersey and on return, under continuing contract with Allegheny Tissue Corp.* NOTE: If a hearing is deemed necessary, applicant request it be held at New York, N.Y.

No. MC 134538, filed April 16, 1970. Applicant: JOHN L. CLARK, R.F.D. No. 3, Montpelier, Ohio. Applicant's representative: William R. White, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, contained in semi-type trailers, between points in Williams, Fulton, Defiance, and Henry counties, on the one hand, and, on the other, points*

in the State of Ohio; restricted to the transportation of piggy-back trailers, loaded or empty, having an immediately prior or subsequent movement by rail. **NOTE:** Applicant states that no break bulk operations will be performed. If a hearing is deemed necessary, applicant requests it be held at Bryan or Toledo, Ohio.

No. MC 134541, filed April 20, 1970. Applicant: **TERMINAL TRANSFER, INC.**, 3601 N.W. Yeon, Portland, Oreg. 97210. Applicant's representative: Richard J. Kathrens (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are sold by Montgomery Ward & Co., Inc. to their retail customers, between points in Clatsop, Columbia, Washington, Tillamook, Yamhill, Polk, Lincoln, Benton, Multnomah, Hood River, Wasco, Sherman, Clackamas, Marion, Linn, and Jefferson Counties in Oregon; and points in Clark, Skamania, Klickitat, Yakima, Lewis, Cowlitz, Wahkiakum, and Pacific Counties in Washington, under contract with Montgomery Ward & Co., Inc.* **NOTE:** Applicant presently holds common authority under its No. MC 115767, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Vancouver, Wash.

No. MC 134551 (Correction), filed April 24, 1970, published in the **FEDERAL REGISTER**, issue of May 14, 1970, and republished as corrected, this issue. Applicant: **BRENDEL DISTRIBUTING CO., INC.**, Caine Drive (no number), Madison, Ill. 62060. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from Madison, Ill., to St. Louis and points in St. Louis County, Mo.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill. The purpose of this republication is to correct the territorial scope of the application by adding the word to before St. Louis, which word was inadvertently omitted in the previous publication.

No. MC 134555, filed April 23, 1970. Applicant: **EXPERT TANK TRANSPORT, INC.**, 281 NE 185th Street, Post Office Box 3067, Miami, Fla. 33169. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus products, in bulk, in tank vehicles, from points in Hernando, Indian River, Orange, Pinellas, Polk, St. Lucie, and Volusia Counties, Fla., to points in New York, New Jersey,*

Massachusetts, Ohio, Michigan, Pennsylvania, Maryland, North Carolina, Connecticut, Illinois, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 134558, filed April 17, 1970. Applicant: **JAMES RICCIARDI & SONS, INC.**, 203 Fillmore Street, Staten Island, N.Y. 10301. Applicant's representative: Beverley S. Simms, 1100 Seventeenth Street, NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials (except glass products), gypsum and gypsum products, paint and paint products, paper bags, gypsum board paper, and lime (except liquids in bulk, in tank vehicles), between the plant and warehouse sites of United States Gypsum Company at Staten Island, N.Y., and at or near Stony Point, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.* **RESTRICTION:** The above operations are limited to a transportation service to be performed under a continuing contract or contracts with United States Gypsum Company; (2) *iron and steel, from Bayonne, Edgewater, Elizabeth, Elizabethport, Hoboken, Jersey City, Port Newark, and Weehawken, N.J., and New York, N.Y., to Brooklyn, Long Island City, and Port Washington, N.Y., and points in Connecticut, restricted to shipments having a prior movement by water.* **RESTRICTION:** The above operations are limited to a transportation service to be performed under a continuing contract or contracts with Thypin Steel Co., Inc.; and (3) (a) *Roofing and building materials (except glass products and liquids in bulk, in tank vehicles), between the plant and warehouse sites of G A F Corp., in Somerset County, N.J., on the one hand, and, on the other, New York, N.Y., and points in Albany, Columbia, Greene, Montgomery, Orange, Rensselaer, Rockland, Schenectady, Sullivan, and Ulster Counties, N.Y., and Fairfield, Litchfield, and New Haven Counties, Conn.; and (b) roofing asphalt and roofing pitch (except in bulk, in tank vehicles), from points in Somerset, Union, Middlesex, and Hudson Counties, N.J., to New York, N.Y., and Albany, Columbia, Greene, Montgomery, Orange, Rensselaer, Rockland, Schenectady, Sullivan and Ulster Counties, N.Y., and Fairfield, Litchfield and New Haven Counties, Conn.* **RESTRICTION:** The above operations are limited to a transportation service to be performed under a continuing contract or contracts with G A F Corp. **NOTE:** Applicant is authorized to operate as a common carrier under MC 123057 and subs, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 134559, filed April 21, 1970. Applicant: **HOMER TUCKER**, doing business as **TUCKER'S WRECKER**

SERVICE, 844 Washington Street, Burlington, Iowa 52601. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, or repossessed motor vehicles and replacement vehicles for wrecked, disabled, or repossessed motor vehicles, by use of wrecker equipment, between points in Iowa, Illinois, Missouri, Nebraska, Wisconsin, Minnesota, North Dakota, South Dakota, Ohio, Indiana, and Kansas.* **NOTE:** Applicant states that it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Burlington, Iowa.

No. MC 134566, filed April 30, 1970. Applicant: **SANFORD & WEBB, INC.**, 1525 S.E. Pleasantview, Des Moines, Iowa. Applicant's representative: Russell H. Wilson, Suite 200, Merle Hay Mart Bldg., 3839 Merle Hay Road, Des Moines, Iowa 50310. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Modular homes component parts, building material and supplies including appliances for installation therein from Des Moines, Iowa to points in that part of Illinois bounded by Illinois Highway 116 from the western border of Illinois, east to Illinois Highway 88, thence north along Illinois Highway 88 to its junction with U.S. Highway 52 and thence west along U.S. Highway 52 to the western Illinois border; points in that part of Wisconsin bounded by Wisconsin Highway 60 commencing on the western border of Wisconsin, easterly to the junction of Wisconsin Highway 60 and U.S. Highway 12, thence north along U.S. Highway 12 to the junction of U.S. Highway 10 and U.S. Highway 12, thence west along U.S. Highway 10 to the Western Wisconsin border; points in that part of Minnesota on and south of Minnesota Highway 19; and points in that part of South Dakota on and east of U.S. Highway 281 in South Dakota, under contract with Frank Paxton Lumber Company.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 134572 filed April 24, 1970. Applicant: **LAWRENCE MASSENGILL**, Post Office Box 36, Hickory Flat, Miss. 38633. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lime*, from Cherokee and Russellville, Ala., and Memphis, Tenn., and (2) *slag*, from Birmingham, Ala., to points in De Soto, Marshall, Lafayette, Tate, Panola, Pontotoc, Benton and Union Counties, Miss. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Birmingham, Ala.

APPLICATION OF WATER CARRIER

No. W-414 (Sub-No. 8), (THE OHIO RIVER COMPANY EXTENSION—LOWER MISS. RIVER), filed May 13, 1970. Applicant: **THE OHIO RIVER COMPANY**, a corporation, 1400 Provident

MOTOR CARRIERS OF PROPERTY

Tower, Cincinnati, Ohio 45202. Applicant's representative: John Ladd Dean, National City E. 6th Building, Cleveland, Ohio 44114. Applicant seeks revision of its present Fifth Amended Certificate and Order No. W-414 so as to authorize it to perform the following additional service over the routes and between the ports and points indicated: Operation as a *common carrier* by water in interstate or foreign commerce, by non-self propelled vessels with the use of separate towing vessels in the transportation of *commodities generally*, and by towing vessels in the performance of general towage, (a) between ports and points along the Mississippi River below and including Cairo, Ill., and along the Mississippi River Gulf Outlet Channel and (b) between ports and points specified in (a) above, on the one hand, and, on the other, ports and points which applicant is presently authorized to serve pursuant to its Fifth Amended Certificate and Order No. W-414 dated October 7, 1969.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 22229 (Sub-No. 62), filed April 24, 1970. Applicant: TERMINAL TRANSPORT COMPANY, INC., 248 Chester Ave., S.E., Atlanta, Ga. 30316. Applicant's representatives: Ralph B. Matthews (same address as applicant), and T. R. Buck, Post Office Box 1160, Owensboro, Ky. 42301. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Jacksonville, Fla., and Savannah, Ga., over U.S. Highway 17, serving no intermediate points, restricted against a transportation of such traffic originating at, or destined to points in Florida and Georgia.

No. MC 104675 (Sub-No. 28), filed April 23, 1970. Applicant: FRONTIER DELIVERY, INC., 620 Elk St., Buffalo, N.Y. 14210. Applicant's representative: E. Russell Whiteman, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* in bulk, in tank vehicles, and *dry chemicals* in bulk, in tank and hopper-type vehicles, from Niagara Falls, N.Y. to points in Maine and New Hampshire, and returned and rejected shipments of the same description, on return. NOTE: Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority.

No. MC 124328 (Sub-No. 42), filed April 17, 1970. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, Ill. 60616. Applicant's representative: F. D. Partlan (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Currency and coin*, between Lambertville, Ida, Dundee, Milan and Monroe, Mich., and Toledo, Ohio, under contract with Sea-

way Food Town Inc. NOTE: Common control may be involved.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 70-6552; Filed, May 27, 1970;
8:45 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41966—*Fish Meal, Returned, to Specified Points in Canada*. Filed by Western Trunk Line Committee, Agent (No. A-2625), for interested rail carriers. Rates on fish meal, in carloads, as described in the application, returned to original origins, from points in western trunk-line, southwestern and southern territories, to specified points in New Brunswick, Nova Scotia, Prince Edward Island, and Quebec, Canada.

Grounds for relief—Returned movements of commodity.

Tariffs—Supplements 21, 8, and 17 to Canadian Freight Association tariffs I.C.C. 291, 309, and 303, respectively.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 70-6646; Filed, May 27, 1970;
8:51 a.m.]

[Notice 85]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 25, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such 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 (6) 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.

No. MC 65665 (Sub-No. 12 TA), filed May 20, 1970. Applicant: WEATHERS BROS. TRANSFER CO., INC., 2728 Northeast Freeway, N.E., Atlanta, Ga. 30329. Applicant's representatives: R. J. Reynolds, III, 604 Healey Building, Atlanta, Ga. 30303, and Robert J. Gallagher, Suite 3020 Empire State Building, New York, N.Y. 10001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in the United States (except Alaska and Hawaii), for 180 days. NOTE: The authority sought is broader than any authority now held by applicant. Because the proposed authority is non-radial, nationwide, there would be no reason to tack the same with existing authority. Applicant purposes, from time to time, to interline shipments with other household goods carriers as is the practice in the household goods transportation business. Such an interchange could take place at any point in the United States where a shipment might originate. Supporting shippers: There are approximately (50) 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: William L. Scroggs, District Supervisor, 1252 West Peachtree Street NW., Room 300, Atlanta, Ga. 30309.

No. MC 66669 (Sub-No. 2 TA), filed May 20, 1970. Applicant: SOFIELD TRANSFER CO., INC., 1051 Edward Street, Linden, N.J. 07036. Applicant's representative: George A. Olsen, 69 Tonelle Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, for the account of United States Lines Corp., in containers or trailers, and *empty containers or trailers*, between the facilities of United States Lines Corp. located at Boston, Mass.; Baltimore, Md.; points in the New York, N.Y. Commercial Zone as defined by the Commission; Charleston, S.C.; Philadelphia, Pa., and Norfolk, Va., restricted to shipments having prior or subsequent movement by water, for 150 days. Supporting shipper: United States Lines, Inc., One Broadway, New York, N.Y. 10004. Send protests to: Walter J. Grossmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 970 Broad St., Newark, N.J. 07102.

No. MC 71459 (Sub-No. 19 TA) (Correction) filed May 7, 1970, published in FEDERAL REGISTER issue of May 15, 1970 and republished as corrected, this issue. Applicant: HOPPER TRUCK LINES, 2800 West Bayshore Road, Palo Alto, Calif. 94303. Applicant's representative: Clifford J. Boddington (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, dangerous articles, household

goods, and commodities requiring special equipment), between Gila Bend, Ariz., and Ajo, Ariz., over Arizona Highway 85 serving all intermediate points, for 180 days. **NOTE:** Applicant intends to tack with MC-71459 and Subs; and interline at Phoenix, Ariz. The purpose of this republication is to correctly set forth the exceptions to general commodities and to show that the movement is between. Supporting shippers: There are approximately (9) 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: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 85255 (Sub-No. 37 TA), filed May 20, 1970. Applicant: PUGET SOUND TRUCK LINES, INC., Pier 62, Seattle, Wash. 98101. Applicant's representative: Clyde H. MacIver, 3712 Seattle First National Bank Building, Seattle, Wash. 98111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned seafoods*, between Seattle, LaConner, Anacortes, Bellingham, and Semiahmo, Wash., for 180 days. Supporting shippers: Alaska Packers Association, Inc., Post Office Box AA, Blaine, Wash. 98230; New England Fish Company, Pier 89, Seattle, Wash. 98119; Frank B. Peterson Co., 88 East Hamlin Street, Box 30 University Station, Seattle, Wash. 98105 and Whitney-Fidalgo Seafoods, Inc., 2360 West Commodore Way, Post Office Box 99008, Seattle, Wash. 98199. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 99069 (Sub-No. 2 TA), filed May 20, 1970. Applicant: SOUTHGATE CORPORATION, doing business as SOUTHGATE TRUCKING COMPANY, a corporation, 315 Dunmore Street, P.O. Box 850, Norfolk, Va. 23510. Applicant's representative: J. A. Colenda (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Virginia. Operations to be restricted to the transportation and performance of pickup and delivery service in connection with the containerization and/or decontainerization of such traffic, for 180 days. Supporting shippers: Home-Pack Transport Inc., 57-48 49th Street, Maspeth, N.Y. 11378; Karevan, Post Office Box 9240, Seattle, Wash. 98109; Northwest Consolidators, Inc., Post Office Box 3583, Seattle, Wash. 98124; Sunpack, 534 Westlake Avenue North, Seattle, Wash. 98109. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 103602 (Sub-No. 6 TA), filed May 20, 1970. Applicant: SKHONSBY TRUCK LINE, INC., a corporation, 48

North 23d Street, Fargo, N. Dak. 58102. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractor's equipment, materials, and supplies*, between points in Grand Forks, Walsh, Pembina, Cavalier, Ramsey and Nelson Counties, N. Dak. Restricted to shipments moving to or from rail sidings, for 150 days. Supporting shippers: Soo Line Railroad Co., Soo Line Building, Minneapolis, Minn. 55440; North Star Steel Co., 1400 Red Rock Road, Post Office Box 3189, St. Paul, Minn. 55101; Burlington Northern, Inc., 176 East Fifth Street, St. Paul, Minn. 55101. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 2340, Fargo, N. Dak. 58102.

No. MC 113678 (Sub-No. 382 TA) (Amendment), filed May 4, 1970, published in FEDERAL REGISTER in Notice No. 81, and republished as amended, this issue. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Oscar Mandel (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aquariums and household pet cages, loose or in cartons, and aquarium accessories, supplies and equipment, in straight or mixed shipments*; (a) from Maywood, Hackensack, and East Paterson, N.J., to Gardena and Mountain View, Calif., and (b) from Gardena and Mountain View, Calif., to points in Arkansas, Colorado, Illinois, Indiana, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, New Mexico, Texas, Washington, Oregon, and Wisconsin; (2) *Materials and supplies used in the manufacture of aquariums and household pet cages*, from Maywood, Hackensack, and East Paterson, N.J., and Philadelphia, Pa., to Gardena and Mountain View, Calif.; (3) *Brine shrimp, frozen or freeze-dried, in straight or mixed shipments*, from Menlo Park, Calif., to points in Georgia, Illinois, Kansas, Minnesota, Missouri, New Jersey, Ohio, Rhode Island, Texas, Virginia, Washington, and Oregon, for 180 days. **NOTE:** The purpose of this republication is to show the destination has been amended to add the destination state of Oregon. Supporting shipper: Metaframe Corp., 87 Route 17, Maywood, N.J. 07607. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 113678 (Sub-No. 383 TA), filed May 11, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver Commerce City, Colo. 80216. Applicant's representative: Oscar Mandel (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and packinghouse products*, from Denison and Iowa Falls, Iowa, to points in Pennsylvania, Mary-

land, District of Columbia, New Jersey, New York, and Massachusetts, for 180 days. Supporting shipper: Farm Best, Inc., Post Office Box 403, Denison, Iowa 51442. Send Protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 113678 (Sub-No. 386 TA), filed May 20, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Minnie Mandel (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, from Ellensburg, Wash., to New York, N.Y.; Philadelphia, Pa.; Boston, Mass.; Williamsburg, Va.; Columbia, S.C.; and New Orleans, La., for 180 days. Supporting shipper: Superior Packing Co., Ellensburg, Wash. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 113678 (Sub-No. 387 TA), filed May 20, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Minnie Mandel (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix 1 in the report to *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766; from Plant, storage and warehouse facilities of Vernon Calhoun Packing Co. located at or near Palestine, Tex., to point in Colorado, for 180 days. Supporting shipper: Vernon Calhoun Packing Co., Post Office Box 709, Palestine, Tex. 75801. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 116077 (Sub-No. 297 TA), filed May 20, 1970. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, Houston, Tex. 77001. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid ethylene*, in bulk, in tank vehicles, from Taft, La., to Tarrant City, Ala.; El Dorado, Ark.; Magnolia, Ark.; Decatur, Ill.; East Alton, Ill.; Calvert City, Ky.; Orangeburg, S.C.; Greenville, S.C.; Memphis, Tenn.; and Texas City, Tex., for 180 days. **NOTE:** Applicant does not intend to tack with existing authority. Supporting shipper: Enjay Chemical Co., Post Office Box 201, Florham Park, N.J. 07932. Send protests to: District Supervisor John C. Redus, Interstate Commerce Commission, Bureau of Operations, Post Office Box 61212, Houston, Tex. 77061.

No. MC 117815 (Sub-No. 161 TA), filed May 20, 1970. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast

20th, Des Moines, Iowa 50317. Applicant's representative: William L. Faribank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are manufactured, sold, or distributed by persons engaged in the manufacturing, processing, and milling of grain products*, from Chelsea, Mich., to points in Iowa, Kansas, Missouri (except points in the St. Louis commercial zone), Nebr., and points in Illinois in the Davenport, Iowa, Rock Island, and Moline, Ill., commercial zone as defined by the Commission, for 180 days. Supporting shipper: Chelsea Milling Co., Chelsea, Mich. 48118. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 118159 (Sub-No. 96 TA), filed May 20, 1970. Applicant: EVERETT LOWRANCE, INC., Post Office Box 10216, New Orleans, La. 70121. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bags and containers, from Ionia, Mich., to Tulsa, Okla., for 150 days. Supporting shipper: Bama Pie, Inc., Tulsa, Okla. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 123993 (Sub-No. 14 TA), filed May 20, 1970. Applicant: FOGLEMAN TRUCK LINE, INC., 1724 West Mill Street, Crowley, La. 70526. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Avondale, La., to points in Mississippi, for 180 days. Supporting shipper: American Cyanamid Co. Fortier Plant, Avondale, La., Post Office Box 10008, New Orleans, La. 70121. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 134282 (Sub-No. 1 TA), filed May 20, 1970. Applicant: ENNIS TRANSPORTATION CO., INC., Post Office Box 447, Dallas, Tex. 75119. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products, and when moving in the same vehicle and at the same time as gypsum products, materials used in connection with the installation of gypsum products*, from the plantsite of Celotex Corp., 7 miles southwest of Hamlin, Fisher County, Tex., to points in Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee, for 180 days. NOTE: Carrier does not intend to tack authority. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Opera-

tions, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 134387 (Sub-No. 2 TA), filed May 20, 1970. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Street, South Gate, Calif. 90280. Applicant's representative: Warren N. Grossman, 825 City National Bank Building, 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers*, between points in Los Angeles County, Calif., and Maricopa County, Ariz., for 150 days. Supporting shipper: Propak-California Corp., 211 North Willow Avenue, City of Industry, Calif. 91746. 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 134537 (Sub-No. 1 TA), filed May 20, 1970. Applicant: L & A TRANSPORT, INC., Post Office Box 195, Greeley, Colo. 80631. Applicant's representative: Arthur R. Hauver, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beet pulp pellets*, from Bayard, Gering, Scottsbluff, and Mitchell, Nebr., to Greeley, Colo., and Gilcrest, Colo., for 180 days. NOTE: Applicant holds no interstate operating rights except as shown above. Supporting shipper: Duane E. Flack, Manager, Monfort Feed Lots, Inc., Post Office Box 1290, 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 134619 TA, filed May 20, 1970. Applicant: CLIFFORD R. FELTON, Rural Delivery No. 2, Latrobe, Pa. 15650. Applicant's representative: John A. Pillar, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contact carrier*, by motor vehicle, over irregular routes, transporting: *Liquid latex*, in bulk, in tank vehicles, from Louisville, Ky.; Akron, Ohio; and Baltimore, Md., to Derry Township, Westmoreland County, Pa., for 180 days. Supporting shipper: Toyad Corp., Latrobe, Pa. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

MOTOR CARRIER OF PASSENGERS

No. MC 134519 TA (Amendment), filed April 21, 1970, published in the FEDERAL REGISTER issue of April 30, 1970 and republished as amended, this issue. Applicant: JAMES A. AUTREY, doing business as AUCO TOURS, Route 7, Sevierville, Tenn. 37862. Applicant's representative: Robert E. Pryor, Valley Fidelity Bank Building, Knoxville, Tenn. 37901. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers*, in scheduled round-trip sightseeing and pleasure tours, between Knoxville, Tenn., and Cherokee, N.C.; from Knoxville over

U.S. Highway 441, thru Sevierville, Pigeon Forge, and Gatlinburg, Tenn., to Cherokee, and return over U.S. Highway 441 and Tennessee Highway 73 thru Maryville, Tenn., for 180 days. NOTE: The purpose of the correction is to show, "Passengers, in scheduled round-trip sightseeing and pleasure tours", which was omitted in previous publication. Supporting shippers: Knoxville Tourist Bureau, Knoxville, Tenn.; Travel Lodge, Sevierville, Tenn.; Smoky Mountain Trailways, Gatlinburg, Tenn.; Manager, Andrew Johnson Hotel, Knoxville, Tenn.; Mayor, city of Pigeon Forge, Pigeon Forge, Tenn. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803 1808 West End Building, Nashville, Tenn. 37203.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-6644; Filed, May 27, 1970; 8:51 a.m.]

[Notice 541]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 25, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, 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-72129. By order of May 19, 1970, the Motor Carrier Board approved the transfer to Joe Stamper, doing business as Owenton Express, Route No. 2, Owenton, Ky. 40359, of that portion of the operating rights in certificate No. MC-99859 (Sub-No. 3) issued August 23, 1966 to Robert O'Nan, doing business as O'Nan Transportation Co., Carrollton, Ky., authorizing the transportation of general commodities, with exceptions, over regular routes between specified points in Kentucky. Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101, attorney for transferor.

No. MC-FC-72130. By order of May 20, 1970, the Motor Carrier Board approved the transfer to Active Moving & Storage, Inc., Killeen, Tex., of the operating rights in certificate No. MC-129051 issued July 14, 1969, to Nova Van & Storage, Inc., Fort Worth, Tex., authorizing the transportation of used household goods between specified points in Texas subject to specified restrictions. William D. Lynch, 1005 Nueces, Austin, Tex. 78701, attorney for applicants.

DEPARTMENT OF STATE

Agency for International Development

DEPUTY ASSISTANT ADMINISTRATOR,
OFFICE OF PRIVATE RESOURCES,
ET AL.Redelegation of Authority Regarding
Investment Guaranties, Loans to
Private Borrower, and Surveys of
Investment Opportunities

(1) Pursuant to the authority delegated to me by the Administrator, Agency for International Development in Delegation of Authority No. 39, dated April 3, 1964 (29 F.R. 5355), as amended, I hereby redelegate to William G. Carter, Deputy Assistant Administrator, Office of Private Resources, and in his absence to the Deputy Assistant Administrator for Financial Operations, to the extent consistent with law, all the authorities now or hereafter delegated to or conferred upon me, including without limitation those authorities conferred by Delegation of Authority No. 39 as it may be amended from time to time and by other A.I.D. delegations of authorities, regulations, manual orders, notices, or other documents, by law or by any competent authority.

(2) Pursuant to the authority delegated to me by the Administrator, Agency for International Development in Delegation of Authority No. 39, as amended, dated April 3, 1964 (29 F.R. 5355), I hereby redelegate authority as follows:

(a) To the Deputy Assistant Administrator for Financial Operations.

(i) To amend, implement, and consent to the assignment of any investment guaranty issued under section 234(b) of the Act, or under predecessor programs and authorities similar to that provided for in section 234(b) of the Act, and in connection therewith to execute, amend and implement other related agreements, and to exercise all related functions and to make all related approvals and determinations as are deemed necessary or desirable; provided, that no such amendment, related agreement, function, approval or determination shall increase the amount of the investment guaranty, or extend the date of the last maturity of the loan covered by such investment guaranty, or change the interest rate on such loan, or change the fee due on the guaranty; and

(ii) To amend and implement loan agreements under section 234(c) of the Act and in connection therewith to execute, amend and implement other related agreements, and to exercise all related functions and to make all related approvals and determinations as are deemed necessary or desirable; provided, that no such amendment, related agreement, function, approval or determination shall increase the amount of the loan, or extend the date of the last maturity of the loan, or change the interest rate of the loan; and

(iii) To authorize, execute, amend and implement loan agreements under section 104(e) of the Agricultural Trade Development and Assistance Act of 1954, as amended, 7 U.S.C. sec. 1704(e), and in connection therewith to execute, amend and implement other related agreements, and to exercise all related functions and to make all related approvals and determinations as are deemed necessary or desirable; and

(iv) To execute contracts obligating an amount not to exceed \$50,000, under section 234(d) of the Act and, without regard to the amount obligated, by the contract, to exercise all related functions and to make all related approvals and determinations in connection with contracts issued under section 234(d) of the Act or in connection with predecessor programs and authorities similar to those provided for in section 234(d) of the Act provided, that, no amendment to any such contract shall increase the amount obligated thereby; and

(v) To undertake and discharge responsibility for the technical direction of

(A) The Investment Projects Group

(B) The Financial Administration Division, including the ERG Claims Branch and the Portfolio Management Branch.

(b) To the Director, Insurance Division, and Deputy Director, Insurance Division.

(i) To authorize and issue investment insurance under section 234(a)(1) of the Act covering investments (1) which take the form of royalties or (2) which, as described in the Special Terms and Conditions of such guaranty contracts, do not exceed \$10 million for each such investment, and in connection therewith to exercise all related functions and to make all related approvals and determinations as are deemed necessary or desirable provided in sections 237(b), 237(d), 237(f) and 237(k) of the Act, and

(ii) To make arrangements for sharing liabilities under section 234(a)(2) of the Act, provided that the maximum share of liabilities assumed by the Corporation shall not exceed \$10 million and in connection therewith to make all related approvals and determinations as are deemed necessary or desirable therein or as provided in sections 237(b), 237(d), 237(f) and 237(k), of the Act, and

(iii) To amend and consent to the assignment of any investment insurance issued under section 234(a)(1) of the Act or under predecessor programs and authorities similar to that provided for in section 234(a)(1) of the Act provided that such amendment does not increase the amount of investment covered by such insurance by more than \$10 million, and

(iv) To execute contracts obligating an amount not to exceed \$50,000, under section 234(d) of the Act and, without regard to the amount obligated by the contract, to exercise all related functions

No. MC-FC-72140. By order of May 20, 1970, the Motor Carrier Board approved the transfer to D. D. Jacobs, Inc., Walla Walla, Wash., of the operating rights in permit No. MC-124841 (Sub-No. 4), issued August 27, 1968, to Dale D. Jacobs, Walla Walla, Wash., authorizing the transportation of: (1) Frozen foods, and supplies and equipment used in the manufacture, storage, and distribution of frozen foods, between Milwaukie, Oreg., other named points in Oreg., Walla Walla, Wash., and named points in Washington; and Heyburn, Idaho, and named points in Idaho; and (2) beet pulp, from Wheeler, Moses Lake, Quincy, and Toppenish, Wash., to points in Umatilla County, Oreg., restricted to the accounts of specified shippers, George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101, attorney for applicants.

No. MC-FC-72147. By order of May 20, 1970, the Motor Carrier Board approved the transfer to T. M. Fowler, Jr., and Marguerite Fowler, joint tenants, doing business as Fowler Van Line, Roswell, N. Mex., of that portion of the operating rights in certificate No. MC-129483 issued March 26, 1968, to Jean Z. Vita, doing business as Vita Moving & Storage, Seattle, Wash., authorizing the transportation, over irregular routes, of household goods from El Paso, Tex., and points in Reeves and Dawson Counties, Tex., to points in Eddy, Lea, Chaves, Curry, Roosevelt, and Otero Counties, N. Mex. Donald Brown, Post Office 776, Roswell, N. Mex. 88201, attorney for applicants.

No. MC-FC-72151. By order of May 20, 1970, the Motor Carrier Board approved the transfer to Sisser Bros., Inc., New Brunswick, N.J., of the operating rights in certificate No. MC-42407 issued April 13, 1960, to Arthur L. Lea Mond, doing business as Lea Mond's Express, Maplewood, N.J., authorizing the transportation of household goods between points in Essex, Hudson, Union, and Morris Counties, N.J., on the one hand, and, on the other, points in New Jersey, New York, Pennsylvania, Connecticut, Massachusetts, and Rhode Island, Robert B. Pepper, registered practitioner, 297 Academy Street, Jersey City, N.J. 07306.

No. MC-FC-72155. By order of May 20, 1970, the Motor Carrier Board approved the transfer to Kenneth Weir, Margaret Weir, and David Weir, a partnership, doing business as Weir Moving & Storage, 115 Arlington St., Sault Ste. Marie, Mich. of certificate of registration No. MC-99076 (Sub-No. 2), issued December 21, 1965, to Kenneth Weir, same trade name and address, authorizing transportation in interstate commerce corresponding in scope to Common Carrier Certificate No. L-10835, issued by the Michigan Public Service Commission.

[SEAL]

H. NEIL GARSON,
Secretary.[P.R. Doc. 70-6645; Filed, May 27, 1970;
8:51 a.m.]

and to make all related approvals and determinations either in connection with contracts issued under section 234(d) of the Act or in connection with predecessor programs and authorities similar to that provided for in section 234(d) of the Act provided that no amendment to any such contract shall increase the amount obligated thereby;

(c) To the Chief, Latin America—Africa Branch, Insurance Division, and to the Chief, Near-East—South Asia—East Asia—Vietnam Branch, Insurance Division, each severally for the countries and areas within the jurisdiction of each of them and to the Deputy Chief, Latin America Branch, Insurance Division for Guatemala, British Honduras, Honduras, El Salvador, Nicaragua, Costa Rica, and Panama.

(i) To authorize and issue investment insurance under section 234(a)(1) of the Act covering investments in Latin America, Africa, Near East-South Asia, East Asia or Vietnam (1) which take the form of royalties or (2) which, as described in the Special Terms and Conditions of such insurance contracts do not exceed \$500,000 for each such investment, and in connection therewith to exercise all related functions and to make all related approvals and determinations provided in sections 237(b), 237(d), 237(f) and 237(k) of the said Act, and

(ii) To amend and consent to the assignment of any investment insurance issued under section 234(a)(1) of the Act or under predecessor programs and authorities similar to that provided for in section 234(a)(1) of the Act provided that such amendment does not increase the amount of investment by such guaranty by more than \$500,000;

(d) To the Associate Director, Insurance Division, to consent to assignments of any contract of insurance issued under section 234(a)(1) of the Act or under predecessor programs and authorities similar to that provided for in section 234(a)(1) of the Act provided such assignments run to entities eligible to be issued investment insurance under the legislation in force at the time of the assignment;

(e) To the Associate Director, Insurance Division and concurrently to the Chief, International Loan Branch, Accounting Division, to issue written notice of delinquency to any investor who has failed to pay any fee due under any contract of insurance issued under section 234(a)(1) of the Act or under predecessor programs and authorities similar to that provided for in section 234(a)(1) of the Act;

(f) To the Associate Director, Insurance Division, to cancel any contract of insurance when the investor covered thereunder has failed to pay the delinquent fee thereon within thirty (30) days following written notice of delinquency;

(g) To the Director, Financial Administration Division to amend investment guaranties to modify the reporting requirements thereunder and to determine and certify reimbursement rights pursuant to contracts issued under section

234(d) of the Act or under predecessor programs and authorities similar to those provided for in section 234(d) of the Act.

(h) To the Project Directors, Investment Projects Group, for Near East-South Asia, East Asia, Latin America and Africa, each separately for the areas and countries within the jurisdiction of each of them,

(i) To amend, implement, and consent to the assignment of any investment guaranty issued under section 234(b) of the Act, or under predecessor programs and authorities similar to that provided for in section 234(b) of the Act, and in connection therewith to execute, amend and implement other related agreements, and to exercise all related functions and to make all related approvals and determinations as are deemed necessary or desirable; provided, that no such amendment, related agreement, function, approval or determination shall increase the amount of the investment guaranty, or extend the date of the last maturity of the loan covered by such investment guaranty, or change the interest rate on such loan, or change the fee due on the guaranty; and

(ii) To amend and implement loan agreements under section 234(c) of the Act and in connection therewith to execute, amend and implement other related agreements, and to exercise all related functions and to make all related approvals and determinations as are deemed necessary or desirable; provided, that no such amendment, related agreement, function, approval or determination shall increase the amount of the loan, or extend the date of the last maturity of the loan, or change the interest rate of the loan; and

(iii) To authorize, execute, amend and implement loan agreements under section 104(e) of the Agricultural Trade Development and Assistance Act of 1954, as amended, 7 U.S.C. § 1704(e), and in connection therewith to execute, amend and implement other related agreements, and to exercise all related functions and to make all related approvals and determinations as are deemed necessary or desirable; and

(iv) To execute contracts obligating an amount not to exceed \$50,000, under section 234(d) of the Act, and without regard to the amount obligated by the contract, to exercise all related functions and to make all related approvals and determinations in connection with contracts issued under section 234(d) of the Act or in connection with predecessor programs and authorities similar to those provided for in section 234(d) of the Act provided that no amendment to any such contract shall increase the amount obligated thereby.

This Redlegation of Authority is effective as of December 30, 1969. The authority delegated in paragraph 1 and paragraph 2(a)(i)-(iv) and 2(h)(i)-(iv), other than authority in paragraphs 2(a)(iii) and 2(h)(iii) to authorize and execute loan agreements or to increase the amount of any loan, or to extend the date of the last maturity of any loan, or

to change the interest rate of any loan, may be further redelegated. All authority redelegated herein other than the authority referred to in the preceding sentence may not be further redelegated.

Dated: May 19, 1970.

HERBERT SALZMAN,
Assistant Administrator
for Private Resources.

[F.R. Doc. 70-6647; Filed, May 27, 1970;
8:51 a.m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

KENNETH JOE BARNAKLAW

Notice of Granting of Relief

Notice is hereby given that Kenneth Joe Barnaclaw, Vandalia, Missouri 63382, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on April 6, 1954, in the Criminal Court of Shelby County, Tenn., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Kenneth J. Barnaclaw because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under Chapter 44, Title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 238; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Kenneth J. Barnaclaw to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Kenneth J. Barnaclaw's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of Chapter 44, Title 18, United States Code, or of the National Firearms Act; and

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

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

Signed at Washington, D.C., this 18th day of May 1970.

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

[P.R. Doc. 70-6649; Filed, May 27, 1970;
8:52 a.m.]

THOMAS T. ELLIS

Notice of Granting of Relief

Notice is hereby given that Thomas T. Ellis, Madison, W. Va. 25130, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on June 6, 1952, in the United States District Court for the Southern District of West Virginia, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Thomas T. Ellis because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under Chapter 44, Title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix,) because of such conviction, it would be unlawful for Thomas T. Ellis to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Thomas T. Ellis' application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of Chapter 44, Title 18, United States Code, or of the National Firearms Act; and

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

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

Signed at Washington, D.C., this 15th day of May 1970.

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

[P.R. Doc. 70-6650; Filed, May 27, 1970;
8:52 a.m.]

ARTHUR WILLIAM HUNTER

Notice of Granting of Relief

Notice is hereby given that Arthur William Hunter, 13981 Minock, Detroit, Mich., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 5, 1934, in the Recorder's Court for the City of Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Arthur W. Hunter because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under Chapter 44, Title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix,) because of such conviction, it would be unlawful for Arthur W. Hunter to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Arthur W. Hunter's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of Chapter 44, Title 18, United States Code, or of the National Firearms Act; and

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

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

Signed at Washington, D.C., this 18th day of May 1970.

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

[P.R. Doc. 70-6651; Filed, May 27, 1970;
8:52 a.m.]

ANTHONY GEORGE LATIN

Notice of Granting of Relief

Notice is hereby given that Anthony George Latin, 31-30 30th Street, Astoria, N.Y., has applied for relief from disabili-

ties imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on February 25, 1938, in the Supreme Court, Queens County, N.Y. of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Anthony G. Latin because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under Chapter 44, Title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix,) because of such conviction, it would be unlawful for Anthony G. Latin to receive, possess, or transport in commerce of affecting commerce, any firearm.

Notice is hereby given that I have considered Anthony G. Latin's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of Chapter 44, Title 18, United States Code, or of the National Firearms Act; and

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

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

Signed at Washington, D.C., this 18th day of May 1970.

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

[P.R. Doc. 70-6652; Filed, May 27, 1970;
8:52 a.m.]

JACK RICHARD RATZEL

Notice of Granting of Relief

Notice is hereby given that Jack Richard Ratzel, 5715 St. Lawrence, Detroit, Mich. 48210 has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on September 17, 1936, in the Detroit Recorders Court, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted,

it will be unlawful for Jack Richard Ratzel because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under Chapter 44, Title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Ratzel to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Jack Richard Ratzel's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of Chapter 44, Title 18, United States Code, or of the National Firearms Act; and

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

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

Signed at Washington, D.C., this 18th day of May 1970.

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

[F.R. Doc. 70-6653; Filed, May 27, 1970; 8:52 a.m.]

PAUL JOSEPH TRUDEL

Notice of Granting of Relief

Notice is hereby given that Paul Joseph Trudel, 8 Ogden Street, Dorchester, Mass. 02124, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on December 26, 1957, in the Norfolk County Superior Court, Dedham, Massachusetts, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Paul Joseph Trudel because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under Chapter 44, Title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended

(82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Paul Joseph Trudel to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Paul Joseph Trudel's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of Chapter 44, Title 18, United States Code, or of the National Firearms Act; and

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

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

Signed at Washington, D.C., this 15th day of May 1970.

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

[F.R. Doc. 70-6654; Filed, May 27, 1970; 8:52 a.m.]

Office of the Secretary

STYRENE-BUTADIENE TYPE SYNTHETIC RUBBER FROM ITALY

Notice of Tentative Negative Determination

MAY 22, 1970.

Information was received on May 8, 1969, that styrene-butadiene type synthetic rubber manufactured by Anic, S.p.A., Milan, Italy, was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of October 9, 1969, on page 15663.

I hereby make a tentative determination that styrene-butadiene type synthetic rubber manufactured by Anic, S.p.A., Milan, Italy, is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. There have been no imports of standard specification styrene-butadiene type synthetic rubber in commercial quantities from Italy.

There is no information indicating that this type of synthetic rubber will be

shipped to the United States from Italy in the near future.

On the basis of the information available, sales of off-grade and scrap SBR to the United States were made at not less than fair value.

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

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street, NW., Washington, D.C. 20226, in time to be received by his office not later than 14 days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

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

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

[F.R. Doc. 70-6655; Filed, May 27, 1970; 8:52 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[F-12388]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 21, 1970.

The Department of the Air Force has filed an application, serial number F-12388, for the withdrawal of the lands described herein from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing laws. The Air Force desires the land for use as a demolition site and ordnance disposal area in connection with its mission requirements at the Galena Air Force Station. The Air Force considers that the acreage requested is the minimum amount needed to meet its requirements at this location.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

The Department's regulation, 43 CFR 2311.1-3(c), provides that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the

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

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether the lands will be withdrawn as requested by the applicant agency.

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

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

The lands involved in the application are:

GALENA AIRPORT, ALASKA

Beginning at corner No. 4 of U.S. Survey No. 2027, Galena Airport; thence S. 23°25' W., a distance of 5,280 feet on the northwest boundary line thereof; to the northwest corner of that certain parcel of land conveyed to the State of Alaska for said airport; thence leaving said line S. 66°35' E., a distance of 1,800 feet on the boundary line of said airport to the true point of beginning; thence leaving said line N. 23°25' E., a distance of 3,600 feet; thence S. 66°35' E., a distance of 5,100 feet; thence S. 23°25' W., a distance of 3,600 feet to said airport boundary line; thence on said line N. 66°35' W., a distance of 5,100 feet to the true point of beginning.

Containing approximately 421.48 acres.

BURTON W. SILCOCK,
State Director.

[F.R. Doc. 70-6577; Filed, May 27, 1970;
8:46 a.m.]

[F-12051]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 21, 1970.

The Bureau of Indian Affairs has filed an application, serial number F-12051, for withdrawal of the lands described herein from all forms of appropriation under the public land laws, including the mining laws, mineral leasing laws, grazing laws, and disposal of materials under the Materials Act of 1947, as amended. The applicant agency desires the land as the site for construction of new school facilities, and the acreage requested makes reasonable allowance for anticipated future expansion of the school facilities.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

The Department's regulation, 43 CFR 2311.1-3(c), provides that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether the lands will be withdrawn as requested by the applicant agency.

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

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

The lands involved in the application are:

TUNTUTULIAK, ALASKA

TRACT NO. 1

U.S. Survey No. 4410 (Plat Unapproved)

Property Corner No. 1, located S. 89°54' W., 0.30 chains east of the U.S.L.M. 4410 at approximate latitude 60°22' N., longitude 162°40' W.; thence west 4.30 chains to Corner No. 2, U.S. Survey No. 4410; thence N. 00°06' W., 4.20 chains to Corner No. 3, U.S. Survey No. 4410; thence N. 89°54' E., 3.00 chains to corner No. 4, U.S. Survey No. 4410; thence S. 00°06' E., 0.50 chains to Corner No. 5, U.S. Survey 4410; thence N. 89°54' E., 2.20 chains to Corner No. 6, U.S. Survey No. 4410; thence S. 07°08' E., 2.11 chains; thence S. 19°07' W., 1.70 chains to Corner No. 1, U.S. Survey 4410, the point of beginning.

Containing 1.88 acres more or less.

TRACT NO. 2

Beginning at Corner No. 2 of U.S. Survey 4410, which is also known as Corner No. 2 of Tract No. 1; proceed N. 00°06' W., 50 feet to the point of beginning of this tract and hereinafter known as Corner No. 2A; thence S. 65°46' W., 378 feet; thence S. 00°06' E., 200 feet; thence S. 89°54' W., 300 feet; thence N. 00°06' W., 250 feet; thence N. 89°54' E., 300 feet; thence N. 65°46' E., 378 feet; thence S. 00°06' E., 50 feet to Corner No. 2A, which is the point of beginning of this tract, containing 2.155 acres more or less.

BURTON W. SILCOCK,
State Director.

[F.R. Doc. 70-6578; Filed, May 27, 1970;
8:46 a.m.]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands; Correction

MAY 22, 1970.

In F.R. Doc. 70-2960 appearing on pages 4420 and 4421 of the issue for Thursday, March 12, 1970, the first para-

graph is corrected to read: The Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, has filed an application, Serial No. S 3531, for the withdrawal of the lands described below, subject to valid existing rights, from all forms of entry, including the mining laws but not the mineral leasing laws.

The total acreage was shown as approximately 263 acres whereas it should have been shown as approximately 191 acres in Lassen County.

ELIZABETH H. MIDTBY,
Chief,
Lands Adjudication Section.

[F.R. Doc. 70-6579; Filed, May 27, 1970;
8:46 a.m.]

[OR 6353 (Wash.)]

WASHINGTON

Notice of Proposed Classification of Public Lands for Disposal by Exchange

MAY 20, 1970.

1. Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the following described lands in Franklin County, Washington, for disposal through exchange, under the Act of June 28, 1934, as amended (48 Stat. 1272; 43 U.S.C. 315g):

WILLAMETTE MERIDIAN

T. 10 N., R. 31 E.,
Sec. 4, lots 1 and 2 and S½ NE¼;
Sec. 8, W½ E½.
T. 11 N., R. 31 E.,
Sec. 20;
Sec. 22, SW¼;
Sec. 28;
Sec. 30, NE¼;
Sec. 32, N½, and SE¼.
T. 11 N., R. 32 E.,
Sec. 20, N½ NW¼;
Sec. 28, E½.

The area described aggregates 2,794.29 acres.

2. Publication of this notice will segregate the lands from all forms of disposal under the public land laws, including the mining laws, except as to applications under section 8 of the Taylor Grazing Act (38 Stat. 1272) as amended.

3. Publication of this proposed notice will not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral and vegetative resources, other than under the mining laws.

4. For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Room 551, U.S. Courthouse, Spokane, Wash. 99201. After having considered comments received, a hearing may be held if deemed necessary.

ARCHIE D. CRAFT,
State Director.

[F.R. Doc. 70-6580; Filed, May 27, 1970;
8:46 a.m.]

[Wyoming 19140]

WYOMING

Notice of Classification of Public Lands
for Multiple-use Management

MAY 21, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR Parts 2410 and 2411, the public lands within the areas described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating (a) all the described lands except those listed in paragraph 4 of this notice from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171); (b) the lands described in paragraph 4 of this notice are not segregated from desert land entry laws but are segregated from all other agricultural land laws (43 U.S.C. Part 7; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171); (c) the lands described in paragraph 5 of this notice are further segregated from appropriation under the general mining laws (30 U.S.C. 21). The lands shall remain open to all other applicable forms of appropriation, including the mining laws (except as provided in paragraph 5) and the mineral leasing laws. As used herein "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Several objections were received following the publication of the Notice of Proposed Classification (35 F.R. 3). These comments prompted further study which substantiated the merits of certain changes, and accordingly, additional lands are left open to application for desert land entry. The record showing comments received is on file and can be examined in the Pinedale District Office, Pinedale, Wyoming.

3. Public lands affected by this classification are located within the following described areas and shown on the Sublette County classification map, which is on file in the District Office, Bureau of Land Management, Pinedale, Wyoming, and in the Land Office, Bureau of Land Management, Federal Building, Cheyenne, Wyoming. The general descriptions of the areas are as follows:

SIXTH PRINCIPAL MERIDIAN

SUBLETTE COUNTY, WYOMING

All public lands within the following described areas:

(a) North LaBarge Creek.

Beginning at the southwest corner of Sublette County at the corner common to Section 31, T. 27 N., R. 115 W., Section 6, T. 26 N., R. 115 W., Section 36, T. 27 N., R. 116 W., and Section 1, T. 26 N., R. 116 W.;

Thence east along the south boundary of Sublette County to the Green River;

North along the Green River to the mouth of Middle Piney Creek;

West northwesterly along Middle Piney Creek to the Bridger National Forest boundary;

South along said boundary to the point of beginning.

(b) Desert, Fremont Butte, Square Top.

Beginning at a point in Section 25, T. 28 N., R. 112 W., where the existing proposed Pinedale and Rock Springs District boundary joins the Green River;

Thence east, northeast along said boundary to the northwest corner of Section 5, T. 30 N., R. 105 W.;

West six miles to the northwest corner of Section 5, T. 30 N., R. 106 W.;

North two miles to the northeast corner of Section 30, T. 31 N., R. 106 W.;

West two miles to the southwest corner of Section 24, T. 31 N., R. 107 W.;

North four miles to the Boulder-Big Sandy Road;

North northwest along said road to the Boulder Road and Highway 187;

Northwest along Highway 187 to Boulder Creek;

South along Boulder Creek to its confluence with the New Fork River;

South southwest along the New Fork River to its confluence with the Green River;

South along the Green River to the point of beginning;

But excluding the $W\frac{1}{2}NE\frac{1}{4}$ Section 30, T. 31 N., R. 106 W.

(c) Mesa.

Beginning at the conjunction of the New Fork and Green Rivers in Section 29, T. 30 N., R. 110 W.;

North and west along the Green River to the section line common to Sections 6 and 7, T. 34 N., R. 111 W.;

Due east approximately $9\frac{1}{2}$ miles to the point where the New Fork River crosses the section line common to Sections 2 and 11, T. 34 N., R. 110 W.;

Southeast along the New Fork River to Highway 187;

Southeast along Highway 187 to Boulder Creek;

South along Boulder Creek to the New Fork River;

Southwest along New Fork River to the point of beginning;

But excluding the $N\frac{1}{2}SE\frac{1}{4}$ Section 13, T. 29 N., R. 112 W., $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$ Section 9, $SW\frac{1}{4}SE\frac{1}{4}$ Section 18, T. 34 N., R. 111 W., $W\frac{1}{2}SW\frac{1}{4}$ Section 15, $NW\frac{1}{4}NW\frac{1}{4}$ Section 22, T. 34 N., R. 110 W.

(d) Bench Corral-Deer Hills.

Beginning at the confluence of Cottonwood Creek and the Green River in Section 17, T. 31 N., R. 110 W.;

Thence south along the Green River to its confluence with Middle Piney Creek in Section 4, T. 30 N., R. 111 W.;

West northwest along Middle Piney Creek to the Bridger National Forest boundary in Section 7, T. 30 N., R. 114 W.;

North along said boundary to the corner common to Sections 16, 17, 20 and 21, T. 33 N., R. 114 W.;

South approximately 3 miles to South Cottonwood Creek;

East along South Cottonwood Creek to Cottonwood Creek;

Southeast along Cottonwood Creek to the point of beginning;

But excluding the $SE\frac{1}{4}SE\frac{1}{4}$ Sec. 3, T. 29 N., R. 113 W., $NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$ Sec. 5, Secs. 8 and 10, T. 30 N., R. 114 W., Secs. 7, 8, and 17, $SE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$ and $NE\frac{1}{4}SE\frac{1}{4}$ Sec. 18, T. 30 N., R. 112 W., $NW\frac{1}{4}SW\frac{1}{4}$ Section 19, T. 31 N., R. 113 W., $S\frac{1}{2}NW\frac{1}{4}$ Section 11, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $E\frac{1}{2}$ Section 14, T. 31 N., R. 111 W., $E\frac{1}{2}SE\frac{1}{4}$ Section 17, $NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$ Section 21, $NW\frac{1}{4}NE\frac{1}{4}$ Section 28, T. 31 N., R. 110 W.

(e) Round Valley-Rye Grass.

Beginning at the confluence of Horse Creek and the Green River in Section 36, T. 34 N., R. 111 W.;

Thence south along the Green River to the mouth of Cottonwood Creek;

Thence northwest along Cottonwood Creek to where it crosses the section line common to Sections 9 and 10, T. 33 N., R. 113 W.; North approximately $4\frac{1}{2}$ miles to where Horse Creek crosses the section line common to Sections 21 and 22, T. 34 N., R. 113 W.; East along Horse Creek to the point of beginning;

But excluding the $NE\frac{1}{4}NW\frac{1}{4}$ Section 17, T. 31 N., R. 110 W., $SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$ Section 33, T. 33 N., R. 110 W., $N\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$ Section 21, T. 33 N., R. 112 W., $E\frac{1}{2}NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$ Section 15, T. 34 N., R. 112 W.

(f) All the lands described in paragraph 5 below.

The total area of the public lands described in this notice of classification aggregates approximately 750,000 acres.

4. As provided in paragraph 1 above, the following lands are not segregated from the desert land entry laws:

SIXTH PRINCIPAL MERIDIAN

- T. 30 N., R. 106 W.
 Sec. 2, lots 3 and 4, $SW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, and $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 9, $SE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 10, $N\frac{1}{2}$, $SW\frac{1}{4}$, and $N\frac{1}{2}SE\frac{1}{4}$;
 Sec. 11, $E\frac{1}{2}$, $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}SW\frac{1}{4}$;
 Sec. 12, $W\frac{1}{2}W\frac{1}{2}$;
 Sec. 14, $NE\frac{1}{4}NE\frac{1}{4}$;
 Sec. 15, $W\frac{1}{2}$;
 Sec. 21, $NE\frac{1}{4}$ and $NE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 22, $NW\frac{1}{4}NW\frac{1}{4}$;
 T. 31 N., R. 110 W.,
 Sec. 6, lots 1 to 7, inclusive, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, and $W\frac{1}{2}SE\frac{1}{4}$;
 Sec. 7, lots 1 and 2, $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, and $N\frac{1}{2}SE\frac{1}{4}$;
 T. 32 N., R. 110 W.,
 Sec. 6, lots 2 to 5, inclusive, $SE\frac{1}{4}SW\frac{1}{4}$, and $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 7;
 Sec. 8, $W\frac{1}{2}SW\frac{1}{4}$;
 Sec. 17, $W\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{4}$, and $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 18;
 Sec. 19, $E\frac{1}{2}$ and $E\frac{1}{2}NW\frac{1}{4}$;
 Sec. 20;
 Sec. 21, $W\frac{1}{2}W\frac{1}{2}$;
 Sec. 29, $W\frac{1}{2}$, $NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, and $SE\frac{1}{4}SE\frac{1}{4}$;
 Secs. 30 and 31;
 Sec. 32, $W\frac{1}{2}W\frac{1}{2}$, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, and $NW\frac{1}{4}NE\frac{1}{4}$;
 T. 33 N., R. 110 W.,
 Sec. 21, lots 2, 3, and 4, $SE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, and $SE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 32, $SW\frac{1}{4}$;
 T. 29 N., R. 111 W.,
 Sec. 18, $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 19, lot 1, $NE\frac{1}{4}NW\frac{1}{4}$, and $NW\frac{1}{4}NE\frac{1}{4}$;
 Tract 59.
 T. 30 N., R. 111 W.,
 Sec. 3, $S\frac{1}{2}S\frac{1}{2}$, and $NW\frac{1}{4}SW\frac{1}{4}$;
 Secs. 4 and 5;
 Sec. 6, lot 1, $SE\frac{1}{4}NE\frac{1}{4}$, and $E\frac{1}{2}SE\frac{1}{4}$;
 Sec. 7, $E\frac{1}{2}NE\frac{1}{4}$;
 Secs. 8 and 9;
 Sec. 13, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, and $SE\frac{1}{4}NE\frac{1}{4}$;
 Sec. 14, $SE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, and $NE\frac{1}{4}SW\frac{1}{4}$;
 Sec. 15, $N\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, and $NW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 17, $N\frac{1}{2}NE\frac{1}{4}$;
 Sec. 20, $W\frac{1}{2}NE\frac{1}{4}$ and $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 21, $N\frac{1}{2}NW\frac{1}{4}$, and $NW\frac{1}{4}NE\frac{1}{4}$;
 Sec. 22, $SW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, and $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 23, $N\frac{1}{2}$, $SW\frac{1}{4}$, and $W\frac{1}{2}SE\frac{1}{4}$;
 T. 31 N., R. 111 W.,
 Sec. 1, $E\frac{1}{2}$;
 Sec. 3, lots 1 to 4, inclusive, $S\frac{1}{2}N\frac{1}{2}$, $SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, and $SW\frac{1}{4}SE\frac{1}{4}$;
 Secs. 4 and 5;

- Sec. 6, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 7, NE $\frac{1}{4}$;
- Sec. 8, N $\frac{1}{2}$, SE $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 9;
- Sec. 10, W $\frac{1}{2}$, SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 11, S $\frac{1}{2}$ NW $\frac{1}{4}$;
- Sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$;
- Sec. 15, S $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 17, E $\frac{1}{2}$;
- Sec. 20, NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 21;
- Sec. 22, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 28;
- Sec. 29, E $\frac{1}{2}$ E $\frac{1}{2}$;
- Sec. 32, E $\frac{1}{2}$ E $\frac{1}{2}$;
- Sec. 33.
- T. 32 N., R. 111 W.,
Secs. 1, 2, and 3;
Sec. 4, lots 1 to 3, inclusive;
Sec. 9, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 10, W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
- Sec. 11, N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 12, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 13, W $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 14, NE $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 15, W $\frac{1}{2}$, SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 22, N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 23, S $\frac{1}{2}$ S $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 24, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 25, E $\frac{1}{2}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$;
- Sec. 31, lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
- Sec. 32, S $\frac{1}{2}$.
- T. 29 N., R. 112 W.,
Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
- The lands described aggregate approximately 28,295 acres.
5. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the general mining laws:
- SIXTH PRINCIPAL MERIDIAN
- T. 30 N., R. 105 W.,
Sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 30 N., R. 106 W.,
Sec. 1, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 2, S $\frac{1}{2}$;
- Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$;
- Sec. 12, N $\frac{1}{2}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 31 N., R. 106 W.,
Sec. 10, NW $\frac{1}{4}$;
- Sec. 30, lot 4 and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 32 N., R. 106 W.,
Sec. 18, lot 3 and W $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 33 N., R. 106 W.,
Sec. 17;
- Sec. 19, E $\frac{1}{2}$ E $\frac{1}{2}$;
- Sec. 20, N $\frac{1}{2}$ N $\frac{1}{2}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 31 N., R. 107 W.,
Sec. 25, S $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 26, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 27, N $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 28, N $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 29, N $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 30, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 32 N., R. 107 W.,
Sec. 8, N $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 19, lots 5 and 6;
- Sec. 24, lot 1.
- T. 33 N., R. 107 W.,
Sec. 14, W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 18, lots 3, 4, 5, and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$.
- T. 31 N., R. 108 W.,
Sec. 4, lot 5 and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 5, lots 10 to 12, inclusive, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 7, lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 8, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 26, N $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 27, N $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 28, S $\frac{1}{2}$ N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 27, lot 1 to 7, inclusive, lots 10 to 19, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 35 N., R. 109 W.,
Sec. 19, lot 2 and N $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 30 N., R. 110 W.,
Sec. 4, N $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 5, N $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 6, lot 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 11, lots 2 to 4, inclusive;
- Sec. 12, lot 5;
- Sec. 13, lot 1;
- Sec. 14, lots 1, 4, 5, 7, and NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 27, lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 28, lots 5 to 9, inclusive;
- Sec. 29, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 31 N., R. 110 W.,
Sec. 21, lots 3 to 6, inclusive, lot 8 and W $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 27, lot 4;
- Sec. 33, E $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 34, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 36, N $\frac{1}{2}$ N $\frac{1}{2}$.
- T. 32 N., R. 110 W.,
Sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 29, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 32, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 33 N., R. 110 W.,
Sec. 3, lot 4;
- Sec. 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 34 N., R. 110 W.,
Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 33, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 34, W $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 35, S $\frac{1}{2}$ N $\frac{1}{2}$.
- T. 35 N., R. 110 W.,
Sec. 5, lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 37 N., R. 110 W.,
Sec. 2, lots 1, 2, and 3;
- Sec. 33, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 29 N., R. 111 W.,
Sec. 1, lot 12;
- Sec. 2, lots 5, 12, 15 and 17;
- Sec. 3, lots 6, 15, 17, and 18;
- Sec. 4, lots 9 and 10;
- Sec. 10, lot 1;
- Sec. 11, lot 1;
- Sec. 21, lots 2 and 4;
- Sec. 28, lot 5.
- T. 30 N., R. 111 W.,
Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 15, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 35 N., R. 111 W.,
Sec. 3, lot 4 and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 4, lot 1, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 8, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 9, N $\frac{1}{2}$ N $\frac{1}{2}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 36 N., R. 111 W.,
Sec. 1, W $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 11, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
- Sec. 14, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 22, SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 27, NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
- Sec. 33, E $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 34, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 27 N., R. 112 W.,
Sec. 9, lots 2, 3, 4, 6, and 8;
- Sec. 29, lots 9 and 10.
- T. 28 N., R. 112 W.,
Sec. 23, lots 4, 5, and 7;
- Sec. 24, lots 4, 5, 6, 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 25, lot 6;
- Sec. 26, lots 5, 6, 8, 9, 12, and 13;
- Sec. 35, lots 1 to 3, inclusive.
- T. 34 N., R. 112 W.,
Sec. 11, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 30 N., R. 113 W.,
Sec. 24, S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 25, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 26, S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 33, S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 34, N $\frac{1}{2}$;
- Sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 34 N., R. 113 W.,
Sec. 5, S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 6, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 28 N., R. 114 W.,
Sec. 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 29 N., R. 114 W.,
Sec. 4, S $\frac{1}{2}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 7, lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
- Sec. 8, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 20, S $\frac{1}{2}$ N $\frac{1}{2}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 21, N $\frac{1}{2}$ N $\frac{1}{2}$.
- T. 30 N., R. 114 W.,
Sec. 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 11, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 30, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 31, lot 1.
- T. 31 N., R. 114 W.,
Sec. 7, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 22, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 27, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 28, SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 29, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 30, lot 2, SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$.

- T. 32 N., R. 114 W.,
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 33 N., R. 114 W.,
Sec. 10, S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 20, S $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 27 N., R. 115 W.,
Sec. 21, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 27, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Aggregating approximately 23,000 acres.

6. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2411.2c. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240.

DANIEL P. BAKER,
State Director.

[F.R. Doc. 70-6581; Filed, May 27, 1970;
8:46 a.m.]

Bureau of Mines

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Approved Reliable Methane Monitors

Subsection (1) of section 303 of the Federal Coal Mine Health and Safety Act of 1969 provides in part:

(1) The Secretary or his authorized representative shall require, as an additional device for detecting concentrations of methane, that a methane monitor, approved as reliable by the Secretary after the operative date of this title, be installed, when available, on any electric face cutting equipment, continuous miner, longwall face equipment, and loading machine, except that no monitor shall be required to be installed on any such equipment prior to the date on which such equipment is required to be permissible under section 305(a) of this title.***

Notice is hereby given, that the methane monitors listed below are approved as reliable for detecting concentrations of methane.

Manufacturer	Part No.	Type of power
Bacharach Instrument Co.	23-7052	120v A.C.
Do.	23-7090	240v A.C.
Do.	23-7091	440v A.C.
Do.	23-7092	480v A.C.
Do.	23-7093	550v A.C.
Do.	23-7093	200-350v D.C.
Mine Safety Appliances Co.	06-95100	440v A.C. or battery.
Do.	06-456400	440v A.C. or battery.

WALTER J. HICKEL,
Secretary of the Interior.

MAY 22, 1970.

[F.R. Doc. 70-6616; Filed, May 27, 1970;
8:49 a.m.]

Fish and Wildlife Service

[Docket No. B-484]

JOHN H. STERLING

Notice of Loan Application

John H. Sterling, 6 Stage Coach Road, Falmouth, Maine 04105, has applied for

a loan from the Fisheries Loan Fund to aid in financing the construction of a new 40-foot length over-all wood vessel to engage in the fishery for lobster and shrimp.

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

JAMES F. MURDOCK,
Acting Chief,
Division of Financial Assistance.

[F.R. Doc. 70-6615; Filed, May 27, 1970;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

FLORIDA STATE UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 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 Number: 70-00196-33-77040. Applicant: Florida State University, Department of Chemistry, Tallahassee, Fla. 32306. Article: Mass Spectrometer, Model MS-902 for chemical ionization and electron impact studies. Manufacturer: Associated Electrical Industries, United Kingdom. Intended use of article: The article will be used in the following areas:

1. Structural studies which include:
 - (a) Reaction products and intermediates;
 - (b) Correlation studies;
 - (c) Natural products.

These studies will be conducted using ultrahigh resolution data reduced electron impact, field emission and chemical ionization mass spectra and metastable

ion scanning in any of the three spectral modes.

2. Analysis of:

- (a) Drug metabolites;
- (b) stable isotopic studies of biosynthesis;
- (c) stable isotope studies of organic and inorganic reactions;
- (d) membrane composition;
- (e) complex lipids;
- (f) complex mixtures.

Field emission and chemical ionization mass spectra will be used for routine analysis.

Comments: Comments were received from CEC/Analytical Division of Bell and Howell (CEC) which allege inter alia that "the applicant, Florida State University, has failed to establish a valid foundation for its belief that no instrument or apparatus of equivalent scientific value to the instrument or apparatus sought to be imported free of duty is being manufactured in the United States". (CEC comments dated November 10, 1969.) The Nuclide Corporation (Nuclide) submitted relevant data on its Model 12-90-G (ESA) mass spectrometer, which are being treated as additional information for the record. (Nuclide letter dated May 28, 1969.)

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, could have been made available to the applicant institution without excessive delay at the time the foreign article was ordered.

Reasons: The foreign article is of the category that is customarily produced on order. Section 602.1(f)(2) of the above-cited regulations provides:

Produced on order. An instrument, apparatus or accessory shall be considered to be produced on order if a domestic manufacturer lists it in a current catalog and is able and willing to produce the instrument, apparatus or accessory within the United States and have it available without unreasonable delay to the applicant. In determining whether a United States manufacturer is able and willing to produce such instrument, apparatus or accessory and have it so available, the Administrator shall take into account the normal commercial practices applicable to the production and delivery of instruments, apparatus or accessories of the same general category.

The matter of availability without unreasonable delay is associated with the issue of excessive delivery time which is explained in § 602.1(g) of the regulations as follows:

Excessive delivery time. Duty-free entry of the article shall be considered justified without regard to whether there is being manufactured in the United States an instrument, apparatus or accessory of equivalent scientific value for the purposes described in response to Question 7. If the delay in obtaining such domestic instrument, apparatus or accessory (as indicated in the difference between the delivery times quoted respectively by domestic manufacturer and foreign manufacturer) will seriously impair the accomplishment of the purposes. In determining whether the difference in delivery times is excessive, the Administrator shall take into account the relevancy of the applicant's program to other research programs with respect to timing, the applicant's need

to have such instrument, apparatus or accessory available at the scheduled time for the course(s) in which the article is intended to be used, and other relevant circumstances.

The foreign article has a guaranteed resolution of 80,000 at a 10 percent valley definition, using C, Cl, Xe doublets as the test specimen. The CEC Model 21-110 has a guaranteed resolution of 40,000 at a 10 percent valley and the Nuclide Model 12-90-G(ESA) has a guaranteed resolution of 35,000, at a 10 percent valley definition for the same test specimen. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated February 6, 1970, that the applicant has clearly established that maximum available resolution is necessary for the accomplishment of the applicant's purposes.

Therefore, the difference between the guaranteed resolution of the foreign article, and the guaranteed resolutions respectively of the CEC Model 21-110 and the Nuclide Model 12-90-G(ESA) is a pertinent characteristic. The foreign article had a quoted delivery time of 90 days. Nuclide alleges that its Model 12-90-G(ESA) could be modified to provide a resolution of 80,000 at a 10 percent valley definition. But Nuclide states that an approximately modified instrument could not be delivered within 90 days, especially if a high resolution test is required. (Nuclide letter, supra Item 11.) CEC also claims that its Model 21-110 can be modified to provide a resolution of 80,000, but indicates that the minimum delivery time would be 6 months and could even be longer if extensive modifications are required. (CEC comments, supra Item 14.) CEC also alleges that delivery time is not at issue, because the applicant has not established a justification for duty-free entry on the basis that a delivery time in excess of 90 days would impair the applicant's research program.

We are advised by HEW, however, that the applicant's reply to Question 13c demonstrates that the difference in delivery time would seriously impair the accomplishment of the applicant's program.

Accordingly, we find that at the time the applicant placed the order for the foreign article, no domestic manufacturer was able to make available to the institution an instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, within the meaning of § 602.1(f)(2) of the above cited regulations.

We also find that the difference between the 90-day delivery time quoted by the foreign manufacturer and the delivery times quoted by the domestic manufacturers to be excessive within the meaning of Section 602.1(g).

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

[F.R. Doc. 70-6612; Filed, May 27, 1970; 8:49 a.m.]

UNIVERSITY OF MICHIGAN

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 Regulations issued thereunder as amended (34 F.R. 15787 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 Number: 70-00343-16-47500. Applicant: University of Michigan, Department of Astronomy, Ann Arbor, Mich. 48104. Article: H-Alpha Monochromator with Temperature Control and Motorized Drive. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used for photography of the sun to provide research material for student and faculty use. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a temperature control of plus or minus (\pm) 0.05 degrees centigrade ($^{\circ}$ C) and a bandpass of 0.5 Angstroms. The availability of a bandpass of 0.5 Angstroms and a temperature control of $\pm 0.05^{\circ}$ C in such a filter is pertinent to the purposes for which the foreign article is intended to be used. We are advised by the National Bureau of Standards (NBS) in its memorandum dated April 23, 1970 that there is no domestically manufactured instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

[F.R. Doc. 70-6613; Filed, May 27, 1970; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CHEVRON CHEMICAL CO.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 0F0974) has been filed by the Chevron Chemical Co., 940 Hensley Street, Rich-

mond, Calif. 94804, proposing the establishment of tolerances (21 CFR Part 120) for residues of the insecticide phosphamidon (2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate) in or on the raw agricultural commodities cottonseed, potatoes, sugarcane, and tomatoes at 0.1 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a paper chromatographic procedure in which the chromatogram is developed in an alkaline solution of blue tetrazolium and the resulting color intensity is visually compared to standard chromatograms.

Dated: May 20, 1970.

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

[F.R. Doc. 70-6594; Filed, May 27, 1970; 8:47 a.m.]

ELANCO PRODUCTS CO.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 0F0968) has been filed by Elanco Products Co., Post Office Box 1750, Indianapolis, Ind. 46206, proposing the establishment of a tolerance of 0.05 part per million for negligible residues of the herbicide 2,6-dinitro-N,N-dipropylcumidine in or on the raw agriculture commodity tomatoes.

The analytical method proposed in the petition for determining residues of the herbicide is a gas chromatographic procedure with an electron affinity detector.

Dated: May 20, 1970.

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

[F.R. Doc. 70-6595; Filed, May 27, 1970; 8:47 a.m.]

HERCULES, INC.

Notice of Filing of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP OB2541) has been filed by Hercules, Inc., 910 Market Street, Wilmington, Del. 19899, proposing that § 121.2514 Resinous and polymeric coatings (21 CFR 121.2514) be amended to provide for the safe use of maleic anhydride adduct of crystalline polypropylene as a component of resinous and polymeric coatings for food-contact use.

Dated: May 20, 1970.

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

[F.R. Doc. 70-6596; Filed, May 27, 1970; 8:47 a.m.]

NALCO CHEMICAL CO.**Notice of Filing of Petition for Food Additives**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP OB2540) has been filed by Nalco Chemical Co., 180 North Michigan Avenue, Chicago, Ill. 60601, proposing that § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 121.2526) be amended to provide for the safe use of a composition of the acid esters and polyesters formed by the phosphorylation of triethanolamine in a solution of ethylene glycol and water as an adjuvant to control pitch and scale formation in the manufacture of paper and paperboard for food-contact use.

Dated: May 20, 1970.

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

[F.R. Doc. 70-6598; Filed, May 27, 1970;
8:48 a.m.]

PENNWALT CORP.**Notice of Filing of Petition Regarding Pesticide Chemicals**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP OF0972) has been filed by the Pennwalt Corp., Post Office Box 1297, Tacoma, Wash. 98401, proposing establishment of a tolerance of 0.1 part per million for residues of endothall (7-oxabicyclo-(2.2.1)heptane-2,3-dicarboxylic acid) in or on the raw agricultural commodity cottonseed from use of its mono-*N,N*-dimethylalkylamine salt as a defoliant on cotton wherein the alkyl group is the same as in the fatty acids of coconut oil.

The analytical method proposed in the petition for determining residues of endothall is a procedure in which the endothall residues are reacted with methoxyamine hydrochloride to produce the *N*-methoxyimide-derivative. The latter is determined by microcoulometric gas chromatography with a nitrogen detection system.

Dated: May 20, 1970.

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

[F.R. Doc. 70-6599; Filed, May 27, 1970;
8:48 a.m.]

PETROLITE CORP.**Notice of Filing of Petition for Food Additives**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP OL2539) has been filed by Petrolite Corp., Bareco Division, Post Office Drawer K, Tulsa, Okla. 74115, proposing the issu-

ance of a food additive regulation (21 CFR Part 121) to provide for the safe use of synthetic petroleum wax (molecular weight 500-1,200), consisting of a mixture of solid hydrocarbons, paraffinic in nature, prepared by telomerization of ethylene: (1) As a masticatory substance in chewing gum base, a protective coating on cheese and raw fruits and vegetables, and a defoamer in food; and (2) as a component of nonfood articles that contact food.

Dated: May 20, 1970.

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

[F.R. Doc. 70-6600; Filed, May 27, 1970;
8:48 a.m.]

[Docket No. FDC-D-154; NADA No. 6-748V]

JENSEN-SALSBERY LABORATORIES**Tympanol; Notice of Withdrawal of Approval of New Animal Drug Application**

A notice of opportunity for a hearing on the matter of withdrawing approval of the new animal drug application for Tympanol was published in the FEDERAL REGISTER of January 22, 1970 (35 F.R. 922).

Jensen-Salsbery Laboratories, Division of Richardson-Merrell, Inc., 520 West 21st Street, Kansas City, Mo. 64141, holder of new animal drug application No. 6-748V covering the drug Tympanol, advised the Commissioner of Food and Drugs that they do not wish to avail themselves of the opportunity for a hearing. The Commissioner received no response to said notice from any other interested person.

Based on the grounds set forth in said notice of opportunity for a hearing and the response to said notice, the Commissioner concludes that approval of new animal drug application No. 6-748V should be withdrawn. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-47; 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner (21 CFR 2.120), approval of new animal drug application No. 6-748V including all amendments and supplements thereto is hereby withdrawn effective on the date of signature of this document.

Dated: May 15, 1970.

SAM D. FINE,
*Acting Associate Commissioner
for Compliance.*

[F.R. Doc. 70-6602; Filed, May 27, 1970;
8:48 a.m.]

[Docket No. FDC-D-144; NADA No. 10-359V]

RALSTON PURINA CO.**Purina Poultry Worming Tablets; Notice of Withdrawal of Approval of New Animal Drug Application**

A notice of opportunity for a hearing on the matter of withdrawing approval

of the new animal drug application for Purina Poultry Worming Tablets was published in the FEDERAL REGISTER of January 17, 1970 (35 F.R. 640).

Ralston Purina Co., 835 South Eight Street, St. Louis, Mo. 63199, holder of new animal drug application No. 10-359V covering said drug did not file a written appearance of election regarding whether they wished to avail themselves of the opportunity for a hearing within the 30 day time period provided for in said notice nor did any other interested person. This is construed as an election by Ralston Purina Co., and any other possibly interested person, not to avail themselves of the opportunity for a hearing.

Based on the grounds set forth in said notice and the response to said notice the Commissioner of Food and Drugs concludes that approval of new animal drug application No. 10-359V should be withdrawn. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-47; 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner (21 CFR 2.120), approval of new animal drug application No. 10-359V including all amendments and supplements thereto is hereby withdrawn effective on the date of signature of this document.

Dated: May 15, 1970.

SAM D. FINE,
*Acting Associate Commissioner
for Compliance.*

[F.R. Doc. 70-6603; Filed, May 27, 1970;
8:48 a.m.]

METHYL PARATHION**Notice of Extension of Temporary Tolerance for Pesticide Chemical**

American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540, was granted a temporary tolerance for residues of the insecticide methyl parathion (*O,O*-dimethyl *O-p*-nitrophenyl thiophosphate) in or on the raw agricultural commodity cottonseed at 0.05 part per million (negligible residue) on August 7, 1969 (notice was published in the FEDERAL REGISTER of August 16, 1969 (34 F.R. 13337)), which will expire August 7, 1970.

The firm has requested extension of the temporary tolerance to obtain additional experimental data. The Commissioner of Food and Drugs concludes that such extension will protect the public health.

A condition under which this temporary tolerance is extended is that the insecticide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the American Cyanamid Co. name.

As extended, this temporary tolerance expires April 1, 1971.

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

delegated to the Commissioner (21 CFR 2.120).

Dated: May 20, 1970.

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

[F.R. Doc. 70-6597; Filed, May 27, 1970;
8:47 a.m.]

[DESI 2-0001NV]

NEOMYCIN AND CERTAIN OTHER DRUG INGREDIENTS

Drugs for Veterinary Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparations:

1. Keosul Rx Boluses with Neojel; each bolus contains 214.28 milligrams neomycin sulfate (equivalent to 150 milligrams neomycin base) 15.43 grains sulfaguandine, 15.43 grains sulfathiazole, 15.0 grains kaolin, 4.0 grains pectin, 3.24 grams colloidal calcium phosphate, 0.2 milligram atropine sulfate, 0.2 milligram hyoscyamine sulfate, 50,000 units Vitamin A; by Diamond Laboratories, Inc., Post Office Box 863, Des Moines, Iowa 50303.

2. Keosul Rx with Neojel; each cubic centimeter contains 28.6 milligrams neomycin sulfate (equivalent to 20 milligrams neomycin base) 96 milligrams succinylsulfathiazole, 6.5 micrograms atropine sulfate, 6.5 micrograms hyoscyamine sulfate, 175 milligrams kaolin, 8 milligrams pectin, 21 milligrams colloidal calcium phosphate; by Diamond Laboratories, Inc.

The Academy evaluated these products as probably not effective for the uses indicated in the labeling in the oral treatment of (scours) diarrhea and enteritis in pigs, dogs, cats, lambs, calves and colts. The Academy concluded:

1. Each active ingredient in a preparation containing more than one drug must be effective, or contribute to the effectiveness of the preparation, to warrant acceptance as a therapeutic ingredient. These preparations have not satisfied these conditions.

2. Each disease claim should be properly qualified as "appropriate for use in (name of disease) caused by pathogens sensitive to (name of drug)." If the disease cannot be so qualified the claim must be dropped.

3. Dosages should be expressed as to quantity of drug per unit of animal weight.

4. Dosages are inconsistent.

5. Documentation for use of hyoscyamine should be furnished.

6. Documentation that colloidal calcium phosphate does not interfere with the antimicrobial drugs activity should be furnished.

7. Claims made regarding "for prevention of" or "to prevent" should be

replaced with "as an aid in the control of" or "to aid in the control of".

8. The dose of atropine and hyoscyamine needs to be checked as animals differ in their susceptibility.

9. The manufacturer of the bolus must provide evidence that it disintegrates in the gastrointestinal tract of the medicated species to produce the desired therapeutic effect.

The Food and Drug Administration concurs in the Academy's evaluation.

This evaluation of the drugs is concerned only with their effectiveness and safety to the animal to which administered. It does not take into account the safety for food use of food derived from drug-treated animals.

Nothing in this announcement will constitute a bar to further proceedings with respect to questions of safety of the drugs or their metabolites as residues in food products derived from treated animals.

This announcement is published (1) to inform manufacturers of the drugs of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles to be marketed must be the subject of approved new animal drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Manufacturers of the drugs are provided 6 months from the date of publication of this announcement in the FEDERAL REGISTER to submit adequate documentation in support of the labeling used.

Each holder of a "deemed approved" new animal drug application (i.e., an application which became effective on the basis of safety prior to Oct. 10, 1962) for such drugs is requested to submit updating information as needed to make the application current with regard to manufacture of the drug including information on drug components and composition, and also including information regarding manufacturing methods, facilities, and controls, in accordance with the requirements of section 512 (21 CFR 512) of the Federal Food, Drug, and Cosmetic Act.

Written comments regarding this announcement including requests for an informal conference may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852.

The manufacturer of the drugs listed above has been mailed a copy of NAS-NRC reports. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to the listed drugs or any other interested person may also obtain a copy by writing to the Food and Drug Administration, Press Relations Office, 5600 Fishers Lane, Rockville, Md. 20852.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 512, 52 Stat. 1050-51, 82 Stat. 343-51; 21 U.S.C. 352, 360b) and under authority delegated

to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: May 15, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-6601; Filed, May 27, 1970;
8:48 a.m.]

[Docket No. FDC-D-175; NDA No. 2-853 etc.]

SULFATHIAZOLE - CONTAINING DRUGS FOR SYSTEMIC USE IN HUMANS

Drugs for Human Use; Drug Efficacy Study Implementation; Notice of Opportunity for Hearing on Pro- posal To Withdraw Approval of Certain New-Drug Applications

In an announcement (DESI 2853) published in the FEDERAL REGISTER of September 11, 1969 (34 F.R. 14299), holders of new-drug applications for certain sulfathiazole-containing drugs for systemic use, and all other holders of new-drug applications for drugs containing sulfathiazole for systemic use in man, as well as other interested persons, were invited by the Commissioner of Food and Drugs to submit data bearing on his intention to initiate proceedings to withdraw approval of these new-drug applications. In response to the notice, the Commissioner has received no data pertinent to the safety or effectiveness of these drugs for their recommended use in man.

Therefore, notice is given to the holders of the new-drug applications listed below, and to any other interested persons who may be adversely affected, that the Commissioner proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the listed new-drug applications and all amendments and supplements thereto on the grounds that: (1) New evidence of clinical experience, not contained in the applications or not available until after the applications were approved, evaluated together with the evidence available when the applications were approved, reveal that the drug is not shown to be safe for use upon the basis of which the applications were approved. In view of the known serious hazards associated with such use and the imbalance between benefit and risk of serious untoward effects from such drugs, their continued use systemically is not warranted as other available sulfonamides have equivalent benefit and involve much less risk; and (2) new information evaluated together with the evidence available when the applications were approved, shows there is a lack of substantial evidence that the drugs will have the effect they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling.

1. Sulfathiazole, 0.5 gram per tablet, and Lacto-Thiazole Suspension containing sulfathiazole 10 grams per 100 milliliters and

sodium lactate (NDA 2-853); Coco-Sulfonamides Triplex Suspension containing 0.167 gram each of sulfathiazole, sulfadiazine, and sulfamerazine; Sulfonamides Triplex Tablets containing 0.167 gram each of sulfathiazole, sulfadiazine, and sulfamerazine (NDA 6-317); Eli Lilly & Co., Post Office Box 618, Indianapolis, Ind. 46206. (This notice does not apply to those formulations provided for in NDA 6-317 which do not contain sulfathiazole.)

2. Sulfathiazole, 0.5 gram per tablet (NDA 4-734); Bowman, Mell & Co., 1334-48 Howard Street, Harrisburg, Pa. 17105.

3. Sulfathiazole, 0.5 gram tablets (NDA 3-583); The Vale Chemical Co., Inc., 1201 Liberty Street, Allentown, Pa. 18102.

4. Sulfathiazole, 0.5 gram per tablet (NDA 2-076); Sulfathiazole, 0.5 gram per tablet (NDA 2-774); Sulfathiazole sodium sesquihydrate, 3-gram vial (NDA 3-724); Tresamide Tablets containing 0.2 gram each of sulfathiazole and sulfadiazine, 0.1 gram of sulfamerazine (NDA 5-301); Merck Sharp & Dohme, Div. of Merck & Co., Inc., Sonnetown Pike, West Point, Pa. 19486.

5. Sulfathiazole, 0.5 gram per tablet (NDA 2-713); Sulfathiazole, 0.5 gram per tablet (NDA 3-457); Wallace & Tiernan, Inc., 25 Main Street, Bellevue, N.J. 07189.

6. Sulfathiazole, 0.5 gram per tablet (NDA 2-729); Sulfathiazole, 0.5 gram per tablet and 25 percent ampul (NDA 2-730); Sulfathiazole sodium 25 percent ampul (NDA 3-430); American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540.

7. Sulfathiazole, 0.25 gram and 0.5 gram per tablet (NDA 2-856); Sulfathiazole Suspension containing 2.6 grams per fluid ounce (NDA 5-646); Parke, Davis & Co., Joseph Campau Avenue at the River, Detroit, Mich. 48232.

8. Sulfathiazole, 0.5 gram per tablet (NDA 2-975); The Upjohn Co., 7171 Portage Road, Kalamazoo, Mich. 49002.

9. Sulfathiazole, 0.5 gram per tablet (NDA 3-049); Wyeth Laboratories, Inc., Post Office Box 8299, Philadelphia, Pa. 19101.

10. Sulfathiazole, 0.5 gram per tablet (NDA 3-194); William S. Merrell Co., Div. of Richardson-Merrell, Inc., 101 East Amity Street, Cincinnati, Ohio 45215.

11. Sulfathiazole, 0.25 gram and 0.5 gram per tablet (NDA 3-399); Rexall Drug Co., 8490 Beverly Boulevard, Los Angeles, Calif. 90054.

12. Sulfathiazole, 0.25 gram and 0.5 gram per tablet (NDA 3-407); Premo Pharmaceutical Laboratories, Inc., 111 Leuning Street, South Hackensack, N.J. 07606.

13. Sulfathiazole, 0.5 gram per tablet (NDA 3-443); American Pharmaceutical Co., 120 Bruckner Boulevard, Bronx, N.Y. 10454.

14. Sulfathiazole, 0.5 gram per tablet (NDA 3-459); Flint Laboratories, Div. Baxter Laboratories, Inc., 6301 Lincoln Avenue, Morton Grove, Ill. 60053.

15. Sulfathiazole, 0.5 gram per tablet (NDA 3-501); Purity Drug Co., 178-204 River Drive, Passaic, N.J. 07055.

16. Sulfathiazole, 2.0 grains and 0.5 gram per tablet (NDA 3-517); Warren Teed Pharmaceuticals, Inc., 582 W. Goodale Street, Columbus, Ohio 43215.

17. Sulfathiazole, 0.5 gram per tablet (NDA 3-520); Sulfathiazole Sodium Injection, 0.5 gram per ampul (NDA 4-529); Lakeside Laboratories, Inc., 1707 East North Avenue, Milwaukee, Wis. 53201.

18. Sulfathiazole, 0.5 gram per tablet (NDA 3-528); Mallard, Inc., 3021 Wabash Avenue, Detroit, Mich. 48216.

19. Sulfathiazole, 0.5 gram per tablet (NDA 3-536); Schieffelin & Co., Apex, N.C. 27502.

20. Sulfathiazole, 0.5 gram per tablet (NDA 3-539); Standard Chemical Co., Inc., 1017 High Street, Des Moines, Iowa 50309.

21. Sulfathiazole, 0.5 gram per tablet (NDA 3-543); Central Pharmacal Co., 116-128 East 3rd Street, Seymour, Ind. 47274.

22. Sulfathiazole, 0.5 gram per tablet (NDA 3-552); Horton and Converse, 621 West Pico Boulevard, Los Angeles, Calif. 90015.

23. Sulfathiazole, 0.5 gram per tablet (NDA 3-602); The G. F. Harvey Co., Inc., 99-101 Saw Mill Road, Yonkers, N.Y. 10701.

24. Sulfathiazole, 0.5 gram per tablet (NDA 3-610); Ziegler Pharmaceutical Corp., 484 Delaware Avenue, Buffalo, N.Y. 14202.

25. Sulfathiazole, 0.5 gram per tablet (NDA 3-612); Blue Line Chemical Co., 302 South Broadway, St. Louis, Mo. 63102.

26. Sulfathiazole, 0.5 gram per tablet (NDA 3-638); American Chemical Co., 433 East Erie Street, Chicago, Ill. 60611.

27. Sulfathiazole, 0.5 gram per tablet (NDA 3-645); Sulfathiazole, 0.25 gram per tablet (NDA 4-322); Spersoid Sulfathiazole Suspension containing sulfathiazole 0.5 gram per 5 cubic centimeters (NDA 5-294); Sulfathiazole, 0.25 and 0.5 gram per tablet; Sulfathiazole, 0.5 gram and sodium bicarbonate 5 grains per tablet; Sulfathiazole, 0.25 gram and sodium bicarbonate 2½ grains per tablet; Magmoid Sulfathiazole Suspension containing sulfathiazole 0.5 gram per 5 cubic centimeters (NDA 5-572); Pitman-Moore Co., Div. of Dow Chemical Co., Post Office Box 1656, Indianapolis, Ind. 46206.

28. Sulfathiazole, 0.5 gram per tablet (NDA 3-669); First Texas Pharmaceuticals, Inc., 1810 North Lamar Street, Dallas, Tex. 75202.

29. Sulfathiazole, 0.5 gram per tablet (NDA 3-839); Brewer and Co., Div. of Cooper Laboratories, Inc., 67 Union Street, Worcester, Mass. 01606.

30. Sulfathiazole, 0.5 gram per tablet (NDA 3-892); Warner-Lambert Pharmaceutical Co., Morris Plains, N.J. 07950.

31. Sulfathiazole, 0.5 gram per tablet (NDA 3-980); Chicago Pharmacal, Div. Conal Pharmaceutical, Inc., 5547 North Ravenswood Avenue, Chicago, Ill. 60640.

32. Sulfathiazole, 0.5 gram per tablet (NDA 4-027); Ferndale Laboratories & Surgical, Inc., 700 West Eight Mile Road, Ferndale, Mich. 48220.

33. Sulfathiazole, 0.5 gram per tablet (NDA 4-085); Mutual Pharmacal Co., 817-821 South State Street, Syracuse, N.Y. 13202.

34. Sulfathiazole, 0.5 gram per tablet (NDA 4-100); Hart Drug Corp., 25th Street, Miami, Fla. 33137.

35. Sulfathiazole, 0.5 gram per tablet (NDA 4-171); Mallinckrodt Chemical Works, 360 N. 2d Street, St. Louis, Mo. 63145.

36. Sulfathiazole, 0.5 gram per tablet (NDA 4-251); S. F. Durst & Co., Inc., 5317 N. Third Street, Philadelphia, Pa. 19120.

37. Sulfathiazole, 0.5 gram per tablet; sodium sulfathiazole monohydrate, 5 grams per vial (NDA 4-400); Lex Laboratories, Inc., 3522 Linden Place, Flushing, N.Y. 11354.

38. Sulfathiazol, 0.5 gram per tablet (NDA 4-424); Mayrand, Inc., Post Office Box 20246, Greensboro, N.C. 27420.

39. Sulfathiazole, 0.5 gram per tablet (NDA 4-428); Shores Co., Inc., 712 16th Street, NE, Cedar Rapids, Iowa 52402.

40. Sulfathiazole, 0.5 gram per tablet (NDA 5-652); Specific Pharmaceuticals, Chemical Products Div. Chemetron Corp., 386 Park Avenue South, New York, N.Y. 10016.

41. Gluco-Sulfathiazole Liquid containing sulfathiazole 2 grams per fluid ounce (NDA 5-759); Gluco-sulfas Liquid containing 3.7 grams each of sulfathiazole and sulfadiazine and 2.6 grams of sulfamerazine per 100 milliliters (NDA 6-455); Donley-Evans & Co., 5229 Brown Avenue, St. Louis, Mo. 63115.

In addition to the new-drug applications listed above, a number of others

provide for sulfathiazole-containing preparations for systemic use in humans. Since their holders have already voluntarily requested withdrawal of their approvals, thereby waiving opportunity for a hearing, they are not listed in this notice.

In accordance with section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the applicants, and any interested persons who would be adversely affected by an order withdrawing such approval, an opportunity for a hearing to show why approval of any new-drug application listed herein should not be withdrawn. Promulgation of the proposed order will cause any sulfathiazole-containing drug for systemic use in humans to be a new drug for which an approved new-drug application is not in effect. Any such drug then on the market would be subject to regulatory proceedings.

Within 30 days after publication hereof in the FEDERAL REGISTER, such persons are required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Office of the General Counsel, Food, Drug, and Environmental Health Division, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or
2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of the new-drug application. Failure of such persons to file a written appearance of election within such 30 days will be construed as an election by such persons not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public except that any portion concerning a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing, they must file a written appearance requesting the hearing and giving the reasons why approval of the new-drug application should not be withdrawn, together with a well-organized and factual analysis of the clinical and other investigational data they are prepared to prove in support of their opposition. The request must set forth specific facts showing there is a genuine and substantial issue of fact that requires a hearing. If the hearing is requested and justified by the response to this notice, the issues will be defined, a hearing examiner will be appointed, and he shall issue a written notice of the time and place at which the hearing will commence. (35 F.R. 7250; May 8, 1970.)

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052-53,

as amended; 21 U.S.C. 355) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: May 19, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-6604; Filed, May 27, 1970;
8:48 a.m.]

[Docket No. FDC-D-180; NDA No. 10-559]

WARNER-LAMBERT PHARMA- CEUTICAL CO.

Drugs for Human Use; Drug Efficacy Study Implementation; Pacatal Tablets and Injections; Withdrawal of Approval of New-Drug Application

In the FEDERAL REGISTER of November 9, 1969 (34 F.R. 19037), the Commissioner of Food and Drugs announced (DESI 10559) his conclusions pursuant to evaluating reports received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, concerning the safety and efficacy of mepazine for human use, and stated his intention to initiate proceedings to withdraw approval of new-drug application No. 10-559 for Pacatal (tablets containing 25, 50, and 100 milligrams of mepazine and injection containing 25 milligrams of mepazine (as acetate) per milliliter).

The Warner-Lambert Pharmaceutical Co., Morris Plains, N.J. 07950, holder of said application, by letter of January 12, 1970, waived opportunity for a hearing on the proposed withdrawal of approval of the application. No data or objections were filed by other interested persons.

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and under authority delegated to him (21 CFR 2.120), the Commissioner finds on the basis of new information, evaluated together with the evidence available when the application was approved, that: (1) Mepazine is not shown to be safe for use under the conditions of use upon the basis of which the application was approved, in view of the adverse effects associated with its use, and (2) there is a lack of substantial evidence that mepazine will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

Therefore, pursuant to the foregoing finding, approval of new-drug application No. 10-559, and all amendments and supplements applying thereto, is withdrawn effective on publication hereof in the FEDERAL REGISTER. This causes any mepazine-containing drug to be a new drug for which an approved new-drug application is not in effect and makes it subject to regulatory action.

Dated: May 19, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-6605; Filed, May 27, 1970;
8:48 a.m.]

[Docket No. FDC-D-173; NDA 4-850, etc.]

CERTAIN SULFONAMIDE - DECON- GESTANT NASAL PREPARATIONS

Drugs for Human Use; Drug Efficacy Study Implementation; Opportunity for Hearing on Proposal To With- draw Approval of New-Drug Appli- cations

In the FEDERAL REGISTER of September 9, 1969 (34 F.R. 14181), pursuant to evaluations by the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, of certain sulfonamide-decongestant drugs for nasal instillation, the Food and Drug Administration concluded (DESI 4850) there is a lack of substantial evidence that such drugs will have the effects they purport or are represented, expressly or by implications, to have. The Commissioner of Food and Drugs gave notice of his intention to initiate proceedings to withdraw approval of the new-drug applications for those and similar drugs.

Holders of new-drug applications for such drugs, and any interested person who might be adversely affected by their removal from the market, were invited to submit pertinent data bearing on the proposal within 30 days after said publication date. Responses were received from Lederle Laboratories concerning Rhinazine and from Smith, Kline & French Laboratories concerning Paredrine Sulfathiazole Suspension. The material submitted, considered with other available information, does not provide substantial evidence of effectiveness of the drugs for their recommended uses.

Therefore, notice is given to:

1. Roche Laboratories, Division of Hoffmann-La Roche, Inc., 340 Kingsland Street, Nutley, N.J. 07110, holder of new-drug application (NDA 8-803) for Gantrisin Nasal Solution (sulfisoxazole and phenylephrine hydrochloride);

2. Parke, Davis & Co., Joseph Campau at the River, Detroit, Mich. 48232, holder of new-drug applications (NDA 5-329, 5-180, 5-659, 5-663) for (1) Gluco-Pedrin with sulfathiazole (sulfathiazole and ephedrine lactate); (2) Sulfamone Drops (sulfathiazole sodium and methamphetamine); (3) Gluco-Pedrin with Sulfadiazine Drops (sulfadiazine and ephedrine); and (4) Sulfamone with Sulfadiazine Drops (sodium sulfadiazine and methamphetamine hydrochloride);

3. Smith, Kline & French Laboratories, 1300 Spring Garden Street, Philadelphia, Pa. 19101, holder of new-drug application (NDA 4-850) for Paredrine Sulfathiazole Suspension (sulfathiazole and hydroxyamphetamine hydrochloride);

4. Eli Lilly & Co., Post Office Box 618, Indianapolis, Ind. 46206, holder of new-drug applications (NDA 5-179, 5-365) for (1) Thizodrin Solution (sulfathiazole sodium and methamphetamine hydrochloride); and (2) Sulfathiazole with Tuamine Sulfate Suspension (sulfathiazole and tuaminoheptane sulfate);

5. Winthrop Laboratories, Div. of Sterling Drug, Inc., 90 Park Avenue, New York, N.Y. 10016, holder of new-drug application (NDA 5-225) for Neo-Synephrine Sulfathiazolate Nose Drops (phenylephrine sulfathiazolate);

6. Lederle Laboratories, Div. American Cyanamid Co., West Middletown Road, Pearl River, N.Y. 10965, holder of new-drug appli-

cation (NDA 5-588) for Rhinazine (sodium sulfadiazine, sulfathiazole, sodium, and dimethamphetamine hydrochloride);

7. E. R. Squibb & Sons, Georges Road, New Brunswick, N.J. 08902, holder of new-drug application (NDA 5-177) for Sulmefrin Drops (sulfathiazole sodium, sodium sulfadiazine, and methamphetamine);

8. Mallinckrodt Chemical Works, Second and Mallinckrodt Street, St. Louis, Mo. 63160, holder of new-drug application (NDA 5-281) for Sulfadine Drops (sulfathiazole and ephedrine sulfate);

9. Conal Pharmaceuticals, Inc., 5547 West Ravenswood Avenue, Chicago, Ill. 60640, holder of new-drug application (NDA 5-534) for Sulfed Solution (sulfathiazole and ephedrine sulfate);

10. William H. Rorer, Inc., 500 Virginia Drive, Fort Washington, Pa. 19034, holder of new-drug application (NDA 5-670) for Sulfamidazole-Ephedrine Suspension (sulfamidazole, sulfathiazole, and ephedrine sulfate);

and to any interested person who may be adversely affected, that the Commissioner proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the above-specified new-drug applications, and all amendments and supplements thereto, on the grounds that new information, evaluated with the evidence available when the applications were approved, shows there is a lack of substantial evidence that the drugs will have the effect they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling. Specifically, substantial evidence is lacking to show (1) that the drugs are effective in the local treatment of intranasal bacterial infection and resultant postnasal drip, (2) that the sulfonamide component makes any contribution to the claimed effect for decongestion of nasal and pharyngeal mucosa in the treatment of rhinitis and sinusitis, and (3) that the sulfonamide component has a favorable effect in the treatment or prevention of the uncomplicated common cold or the simple, acute non-bacterial respiratory disease.

In addition to the new-drug applications listed above, a number of others provide for sulfonamide-decongestant nasal preparations for use in humans. Since the holders of those applications have already voluntarily requested their withdrawal, thereby waiving opportunity for a hearing, they are not listed in this notice.

In accordance with section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the applicants, and any interested person who would be adversely affected by an order withdrawing such approval, an opportunity for a hearing to show why approval of any new-drug application listed herein should not be withdrawn. Promulgation of the proposed order will cause any drug for human use containing the same active ingredients and offered for the same conditions of use to be a new drug for which an approved new-drug application is not in effect. Any such drug then on the market would be subject to regulatory proceedings.

With 30 days after publication hereof in the FEDERAL REGISTER, such persons are required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, a written appearance electing whether:

1. To avail themselves of the opportunity for a hearing; or
2. Not to avail themselves of the opportunity for a hearing.

If such persons elect not to avail themselves of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of these new-drug applications. Failure of such persons to file a written appearance of election within said 30 days will be construed as their election not to avail themselves of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public except that any portion concerning a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If such persons elect to avail themselves of the opportunity for a hearing, they must file a written appearance requesting the hearing and giving the reasons why approval of the new-drug application(s) should not be withdrawn together with a well-organized and full-factual analysis of the clinical and other investigational data they are prepared to prove in support of their opposition. The request must set forth specific facts showing there is a genuine and substantial issue of fact that requires a hearing. If a hearing is requested and is justified by the response to this notice, the issues will be defined, a hearing examiner will be appointed, and he shall issue a written notice of the time and place at which the hearing will commence. (35 F.R. 7250; May 8, 1970).

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052-53, as amended; 21 U.S.C. 355) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: May 19, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-6606; Filed, May 27, 1970;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-333]

POWER AUTHORITY OF THE STATE OF NEW YORK

Notice of Issuance of Provisional Construction Permit

Notice is hereby given that, pursuant to the Initial Decision of the Atomic Safety and Licensing Board, dated May 20, 1970, the Director of the Division of Reactor Licensing has issued Provisional

Construction Permit No. CPPR-71 to the Power Authority of the State of New York for construction of a boiling water nuclear reactor at the applicant's site approximately 7 miles northeast of Oswego in Oswego County, New York. The reactor, known as the James A. Fitz-Patrick Nuclear Power Plant, is designed for initial operation at approximately 2,436 thermal megawatts with a net electrical output of approximately 848 megawatts.

A copy of the Initial Decision is on file in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 20th day of May 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[F.R. Doc. 70-6570; Filed, May 27, 1970;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 21456]

AEROVIAS QUISQUEYANA, C. POR A.

Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on July 14, 1970, at 10 a.m., e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Notice is further given the applicant's direct exhibits are due June 30, 1970.

Dated at Washington, D.C., May 22, 1970.

[SEAL]

JOHN E. FAULK,
Hearing Examiner.

[F.R. Doc. 70-6629; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. 21692; Order 70-5-114]

MOHAWK AIRLINES, INC.

Order to Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of May 1970.

Mohawk Airlines, Inc. (Mohawk), has filed an application, Docket 21692, requesting an amendment of its certificate of public convenience and necessity for route 94 so as to permit it to engage in the carriage of persons, property, and mail on a nonstop basis between Detroit, Michigan, and Cleveland, Ohio, subject to a long-haul restriction or such other restrictions as the Board may find to be required. Mohawk has also filed a petition requesting the Board to issue an order to show cause why Mohawk's application should not be granted.

In support of its petition for a show cause order, Mohawk states: That Mohawk is unable to provide service between Cleveland and Detroit because the

two points are on separate segments which do not join west of Syracuse;¹ that there are occasions when the inability to serve Cleveland and Detroit on the same flight inhibits scheduling and requires the operation of uneconomic mileage; that if Mohawk is permitted to serve both terminals on the same flight, the carrier can eliminate duplicate mileage and reduce its subsidy requirement by an amount in excess of \$100,000; and that these subsidy savings can be achieved without seriously compromising Mohawk's service to Detroit and Cleveland,² and without the carriage of local Detroit-Cleveland traffic.³

Answers in opposition to Mohawk's petition have been filed by North Central Airlines, Inc., Northeast Airlines, Inc., and Northwest Airlines, Inc. Generally, these carriers allege that they would suffer diversion and other adverse effects if Mohawk is granted nonstop authority between Cleveland and Detroit.

In addition, Allegheny filed an answer to Mohawk's petition together with a motion for leave to file.⁴ In its answer, Allegheny states that it does not oppose Mohawk's petition, provided that the Board imposes a single-plane restriction between Jamestown, New York, and Detroit and a long-haul restriction requiring that all flights which serve Cleveland and Detroit also serve Elmira, New York, or a point east of Elmira.

Upon consideration of the pleadings and other relevant matters, we have decided to grant Mohawk's request and issue an order to show cause, proposing to amend Mohawk's certificate so as to permit the carrier to conduct nonstop operations between Detroit and Cleveland, subject to the following restrictions: A "closed-door" restriction in the Cleveland-Detroit market; a long-haul restriction requiring that all flights serving Cleveland and Detroit also serve Elmira or a point east of Elmira; and a restriction prohibiting single-plane service between Jamestown and Detroit. We tentatively find and conclude that the public convenience and necessity require the above-described amendment of Mohawk's certificate.

In support of our proposed ultimate finding, we tentatively conclude as follows: That the proposed certificate amendment would permit Mohawk, a subsidized carrier, to consolidate separate flights now serving Detroit and Cleveland, thereby reducing Mohawk's need for subsidy,⁵ and affording the carrier increased operating flexibility; that the proposed award to Mohawk would not grant the carrier new authority in any market but would merely grant

¹ Detroit is served on segments 1 and 3, and Cleveland on segment 5.

² Mohawk proposes to serve Cleveland on two flights (115 and 182) that presently terminate at Detroit, and to drop service to Cleveland from flights 79 and 178. The lone frequency to be lost is a two-stop New York-Cleveland round trip.

³ Mohawk states that it will not solicit local traffic, and no local traffic was claimed in Mohawk's forecast.

⁴ We will grant Allegheny's motion.

the carrier increased flexibility in markets it already serves; that, although there will be a minor reduction of service quality in some of Mohawk's Detroit-east markets, the effect will be negligible since Mohawk will be, at most, adding an additional stop on the affected flights; that the only Mohawk market which will lose a frequency is the New York-Cleveland market; that the effect on the New York-Cleveland market will be minimal since Mohawk will eliminate a two-stop daily round trip while the market presently receives approximately 20 daily nonstop round trips from three trunk-line carriers; and that the above-described restrictions, which Mohawk is willing to accept, will preclude any adverse effect on the incumbent Detroit-Cleveland carriers or on Allegheny's operations in the Jamestown-Detroit market.⁶

Interested persons will be given 20 days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. Any objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending the certificate of Mohawk Airlines, Inc., so as to permit that carrier to provide nonstop service between Cleveland, Ohio, and Detroit, Michigan, subject to the following restrictions:

a. A closed-door restriction barring the carriage of local traffic between Cleveland and Detroit;

b. A long-haul restriction requiring that all flights serving both Cleveland and Detroit shall also serve Elmira, New York, or a point east thereof;

c. A single-plane restriction between Jamestown, New York and Detroit;

2. Any interested person having objections to the issuance of an order making final the proposed findings, conclusions, and certificate amendments set forth herein, shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied

⁶ Mohawk forecast a subsidy-need reduction of \$100,258. We tentatively conclude that the proposal will result in a subsidy-need reduction of approximately \$75,000. It is our view that Mohawk has underestimated the traffic it will lose as a result of its minor reduction in service quality in some markets.

⁷ Imposition of these restrictions appears to moot the objections of the opposing carriers.

upon to support the stated objections;⁷

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

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action;

5. The motion of Allegheny Airlines, Inc., for leave to file an unauthorized document, be and it hereby is granted; and

6. A copy of this order shall be served upon Mohawk Airlines, Inc., Allegheny Airlines, Inc., North Central Airlines, Inc., Northeast Airlines, Inc., and Northwest Airlines, Inc., who are hereby made parties to this case.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-6633; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. 21136 etc.]

RENO-PORTLAND/SEATTLE NONSTOP SERVICE INVESTIGATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding will be held before the undersigned examiner in Reno, Nevada, on June 29, 1970, at 10:00 a.m., local time, in the Pioneer Theatre Auditorium, 100 South Virginia Street, meeting rooms 1 and 2, at which time and place the evidence of all parties to the proceeding will be received.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the prehearing conference report and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., May 22, 1970.

[SEAL] HYMAN GOLDBERG,
Hearing Examiner.

[F.R. Doc. 70-6630; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. 21238]

SERVICE MAIL RATES FOR INTRA-ALASKA ROUTES

Notice of Postponement of Hearing

Notice is hereby given that the hearing currently scheduled for May 26, 1970, in

⁷ All motions and/or petitions for reconsideration shall be filed within the period for filing of objections, and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

the above-entitled proceeding is hereby postponed indefinitely. This action is predicated upon a motion filed May 21, 1970, by the Post Office Department, stating that it now appears that it may be possible to process various of the matters involved in this proceeding under the informal conference procedures detailed in the Board's Procedural Regulations and that the requested postponement is necessary in order to permit orderly exploration thereof.

The parties are hereby apprised that if a subsequent request for scheduling of a hearing is made, the timing thereof will be subject to the circumstances then prevailing, including particularly the Examiner's commitment in Phase 8 of the Domestic Passenger-Fare Investigation, Docket 21866-8.

Dated at Washington, D.C., May 21, 1970.

[SEAL] HARRY H. SCHNEIDER,
Hearing Examiner.

[F.R. Doc. 70-6632; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. 21355, etc.]

STANDARD AIRWAYS, INC., INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled investigation is assigned to be held on June 24, 1970, at 10 a.m., e.d.s.t., in Room 911, University Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Edward T. Stodola.

Information requests, statements of proposed issues, and motions shall be filed with the Examiner and with interested persons on or before June 15, 1970.

Dated at Washington, D.C., May 21, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-6631; Filed, May 27, 1970;
8:50 a.m.]

FEDERAL RESERVE SYSTEM

MARINE CORP.

Order Denying Application for Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of The Marine Corporation, Milwaukee, Wis., for approval of acquisition of 80 percent or more of the voting shares of Bank of Kewaskum, Kewaskum, Wis.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), the application of The Marine Corporation, Milwaukee, Wis., for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of Bank of Kewaskum, Kewaskum, Wis.

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

Notice of receipt of the application was published in the FEDERAL REGISTER on March 26, 1970 (35 F.R. 5137), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the United States Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is denied.

By order of the Board of Governors, May 22, 1970.²

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[P.R. Doc. 70-8609; Filed, May 27, 1970;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 493]

COMMON CARRIER SERVICES INFORMATION³

Domestic Public Radio Services Appli- cations Accepted for Filing⁴

MAY 25, 1970.

Pursuant to §§ 1.227(b)(3) and 21.26-(b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application

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

² Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Malsel, Brimmer, and Sherrill.

³ All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations and other requirements.

⁴ The above alternative cut-off rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the rules).

(with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with

respect to any one of the earlier filed conflicting applications.

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

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

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 7510-C2-P-(2)-70—Worland Services (KOP254), C.P. to relocate control facilities operating on frequencies 158.55 and 454.05 MHz to location No. 2: 1212 Robertson Avenue, Worland, Wyo.
- 7519-C2-P-70—Curtain Call Communications (new), C.P. for a new two-way station to be located at No. 5 South High Street, Janesville, Wis., to operate on base frequency 152.06 MHz.
- 7520-C2-P-70—Tel-Car, Inc. (KLF590), C.P. for an additional channel to operate on base frequency 152.18 MHz. Station location: 3.85 miles southwest of Pocatello, at Kinport Butte, Idaho.
- 7521-C2-P-70—Ratel Communications Co. (KLF523), C.P. for an additional channel to operate on base frequency 152.12 MHz. Station location: 500 feet north Sherman Highway, northeast edge of Gainesville, Tex.
- 7522-C2-P-70—Answerphone, Inc. (new), C.P. for a new one-way station to be located top of Mount Franklin, 0.5 mile north of El Paso, Tex., to operate on frequency 158.70 MHz.
- 7523-C2-P-70—Ratel Communications Co. (KK0341), C.P. for an additional channel to operate on base frequency 152.18 MHz. Station location: KFDK-TV tower, State route No. 30 and Old Seymour Road, Wichita Falls, Tex.
- 7524-C2-P-70—Rural Telephone Service Co., Inc. (KAF641), C.P. to relocate base facilities on 152.81 MHz to the south of Lenora, Kans., city limits.
- 7525-C2-ML-70—Ratel Communications Co. (KFL911), modification of license to change base frequency to 152.06 MHz. All other terms of the existing license to remain the same.
- 7526-C2-ML-70—Ratel Communications Co. (KLF477), modification of license to change base frequency to 152.06 MHz. All other terms of the existing license to remain the same.
- 7527-C2-P-70—General Communications, Inc. (KRH630), C.P. for additional facilities to be located at a new site described as location No. 2: 50 Presidential Plaza, Syracuse, N.Y., to operate on frequency 152.24 MHz.
- 7551-C2-P-(6)70—Southern Bell Telephone & Telegraph Company (KIC345), C.P. to change the antenna system for facilities operating on frequencies 152.51, 152.57, 152.60, 152.63, 152.72, and 152.75 MHz at location No. 1: 36 Northeast Second Street, Miami, Fla.
- 7552-C2-P-70—Oden Communications Co. (new), C.P. for a new one-way station to be located at approximately 3 miles east of Norfolk, Nebr., to operate on frequency 152.24 MHz.
- 7553-C2-P-70—RAM Broadcasting of Louisiana, Inc. (new), C.P. for a new air-ground station to be located at 1717 Fairfield, Shreveport, La., to operate on frequency 454.750 MHz base and 454.675 MHz signaling.
- 7554-C2-P-70—The Bell TelCo of Pennsylvania (KGA475), C.P. for an additional channel on base frequency 152.54 MHz and test frequency 157.80 MHz. Station location: 3.5 miles northwest of Enola, Pa.
- 7564-C2-P-70—Northwestern Bell TelCo (new), C.P. for a new one-way station to be located at 1823 16th Street North, Bismarck, N. Dak., to operate on 152.84 MHz.
- 7565-C2-P-70—Mobile Radio Communications, Inc. (KAA275), C.P. for additional two-way facilities to operate on base frequency 454.275 MHz at a new site described as location No. 5: 0.85 mile north of Piper, Kans.
- 7567-C2-P-70—Radio Mobile Phones, Inc. (KKG412), C.P. to replace base transmitter operating on frequency 454.35 MHz and relocate same at location No. 2: KTVT(TV) Tower, Cedar Hill, Tex.
- 7568-C2-P-(3)70—Southwestern Bell TelCo (KKC263), C.P. to replace base transmitter on 152.63 MHz; add two additional base channels on frequencies 152.51 and 152.75 MHz and change the antenna system for station located at 10th and West Lynn Streets, Austin, Tex.
- 7582-C2-P-70—Phenix Communications Co., Inc., (new), C.P. for a new one-way station to be located at 718 Avenue "A," Opelika, Ala., to operate on base frequency 152.24 MHz.
- 7583-C2-P-70—Gulf Mobilphone Alabama, Inc. (new), C.P. for a new one-way station to be located at First National Bank Building, Mobile, Ala., to operate on base frequency 152.24 MHz.
- 7564-C2-AP-70—Gulf Mobilphone of Vicksburg, consent to assignment of C.P. from Margaret Pettis and Frank L. Yates, Jr., d/b as Gulf Mobilphone of Vicksburg, Assignors, to Frank L. Yates, Jr., d/b as Gulf Mobilphone, Assignee.
- 7585-C2-P-(4)-70—Intrastate Radio Telephone, Inc., of Los Angeles (KMA200), C.P. to add repeater facilities at location No. 1: 8999 Cedro Drive, Los Angeles, Calif., to operate on 2112 MHz; add repeater facilities at location No. 2: End of TV Row, Mount Wilson, Calif., to operate on 2128 MHz and add control facilities at location No. 3: 2301 West Olive Avenue, Burbank, Calif., to operate on frequencies 2162 and 2178 MHz.

7586-C2-P-70—South Central Bell TelCo (KIB389), C.P. for additional facilities to operate on frequencies 454.525 and 454.875 MHz at a new site described as location No. 3: East Brow Road, Signal Mountain, Tenn., and add test facilities to operate on frequencies 459.375 and 459.525 MHz.

7605-C2-TC-70—Electro-Craft, Inc. (KOP323), consent to transfer of control from: John M. Costello, Jack A. Crowley, William G. Porter, Charles H. Lien, and Abner H. George, Transfers, to: Jack A. Crowley, Transferee.

7607-C2-TC-70—Alexandria Telephone Co., consent to transfer of control from: The Stockholders of Alexandria Telephone Co., Transfers, to: Pioneer-United Telephone Co., Transferee.

7609-C2-P-70—Radio Rekay Corp. (KEC745), C.P. for additional facilities to be located at a new site described as location No. 10: WGSB-FM Tower, 920 Crooked Hill Road, Islip, N.Y., to operate on frequency 43.22 MHz.

Informative

It appears that following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations.

Nebraska

Arlington Telephone Co. (new), 7523-C2-P-(2)-69.
Nebraska Mobile Telephone Co. (new), 5616-C2-P-70.
RAM Broadcasting of Nebraska, Inc. (new), 6947-C2-P-70.

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

8131-C1-R-70—Southern Bell Telephone & Telegraph Co. (KJA75), renewal of Developmental License. Term: 6-14-70 to 6-14-71. Temporary fixed locations in Florida, Georgia, North Carolina, and South Carolina.

American Telephone & Telegraph Co. C.P.'s (7) to provide an additional pair of type TD-2 radio relay channels between Portland and Maupin, Ore. and between East Helena R.S. and Helena 1. Mont. for telephone service:

7555-C1-P-70—(WAD54), add frequency 4070 MHz toward Maupin, Ore.

7556-C1-P-70—(WAD56), add frequency 4030 MHz toward Maupin and Mount Hood, Ore. Station location: Pine Grove, 7 miles west southwest of Wapinitia, Ore.

7557-C1-P-70—(WAD57), add frequency 4070 MHz toward Pine Grove and Boring, Ore. Station location: Mount Hood, 3 miles northeast of Government Camp, Ore.

7558-C1-P-70—(WAD58), add frequency 4030 MHz toward Mount Hood and Portland, Ore. Station location: 1.6 miles north northwest of Boring, Ore.

7559-C1-P-70—(WAD59), add frequency 4070 MHz toward Boring, Ore. Station location: 819 Southwest Oak Street, Portland, Ore.

7560-C1-P-70—(KSV55), add frequency 4030 MHz toward East Helena R.S., Mont. Station location: 401 Park Avenue, Helena No. 1, Mont.

7561-C1-P-70—(KSV56), add frequency 4070 MHz toward Helena No. 1, Mont. Station location: 2.4 miles south of East Helena, Mont.

7562-C1-P/ML-70—American Telephone & Telegraph Co. (KCA47), C.P. and modification of license to add frequency 4030 MHz toward Hartford, Conn., at its station located at Spindle Hill, 4 miles southwest of Bristol, Conn.

the antenna arrangements to provide additional channel capacity for growth in toll message and private line circuits. Stations:

7569-C1-P-70—(KAS36), 4 miles north of Virginia, Minn.
7570-C1-P-70—(KAS35), 2 miles north-northeast of Cook, Minn.
7571-C1-P-70—(KAS34), 1 mile north of Cusson, Minn.
7572-C1-P-70—(KAS33), 12.5 miles east-southeast of Ray, Minn.
7573-C1-P-70—(KAS32), 1 mile east of International Falls, Minn.

7574-C1-P-70—The Mountain States Telephone & Telegraph Co. (KPT31), C.P. to replace transmitter operating on 11,645 MHz toward Hansen Butte, Idaho and correct coordinates to read latitude 42°33'25" N., longitude 114°28'00" W. at its station 121 Third Avenue East, Twin Falls, Idaho.

7575-C1-P-70—The Mountain States Telephone & Telegraph Co. (KPT30), C.P. to replace transmitters operating under the relocation of the Bursley Repeater on frequencies 10,755 and 10,985 MHz at its station at Hansen Butte, 3.3 miles west of Murtaugh, Idaho.

7576-C1-P-70—The Mountain States Telephone & Telegraph Co. (KPT26), C.P. to change location from 5.5 miles west-southwest of Burley to 6 miles west-southwest of Burley, Idaho; to replace transmitter operating on 11,445 MHz toward Hansen Butte, Idaho, and add 11,445 and 11,685 MHz toward Burley, Idaho, on azimuth 59°13'.

7577-C1-P-70—The Mountain States Telephone & Telegraph Co. (new), C.P. for a new station. Frequencies: 10,755 and 10,985 MHz. Location: 1351 Oakley, Burley, Idaho.

7578-C1-P-70—The Mountain States Telephone & Telegraph Co. (KPT25), C.P. to change point of communication to the new site of station KPT36 operating on 10,715 and 10,955 MHz on azimuth 358°56' at its station 9 miles east-northeast of Declo, Idaho.

American Telephone & Telegraph Co. C.P.'s (16) to construct additional type TD-2 radio relay channels at the following stations:

7610-C1-P-70—American Telephone & Telegraph Co. (KSA71), add frequency 3990 MHz toward Morton Grove, Ill., at its station at 311 West Washington Street, Chicago, Ill.

7611-C1-P-70—American Telephone & Telegraph Co. (KSO56), add 3950 MHz toward Lindenhurst, Ill. Location: On Nargansett Street 525' south of Main Street, Morton Grove, Ill.

7612-C1-P-70—American Telephone & Telegraph Co. (KSO57), add 3950 MHz toward Franklin, Wis. Location: 0.5 mile south of Lindenhurst, Ill.

7613-C1-P-70—American Telephone & Telegraph Co. (KSO58), add 3990 MHz toward Milwaukee, Wis. Location: On Oakwood Street, 0.4 mile east of Highway 45, Franklin, Wis.

7614-C1-P-70—American Telephone & Telegraph Co. (KSE27), add 4190 MHz toward Stoughton, Wis. Location: Palmyra junction, 1.8 miles southeast of Palmyra, Wis.

7615-C1-P-70—American Telephone & Telegraph Co. (KSA39), add 3930 MHz toward Tinley Park, Ill. Location: 85 West Congress Street, Chicago, Ill.

7616-C1-P-70—American Telephone & Telegraph Co. (KSO71), add 3890 MHz toward Manteno, Ill. Location: 1.7 miles southwest of Tinley Park, Ill.

7617-C1-P-70—American Telephone & Telegraph Co. (KSO70), add 3850 MHz toward Grant Park, Ill. Location: 6.5 miles west of Manteno, Ill.

7618-C1-P-70—American Telephone & Telegraph Co. (KSG64), add 3970 MHz toward Wheatfield, Ind., and add 3950 MHz toward Bonfield, Ill. Location: Grant Park, 4 miles northeast of Muncie, Ill.

7619-C1-P-70—American Telephone & Telegraph Co. (KSO84), add 4010 MHz toward Moon, Ind., and Grant Park, Ill. Location: 4 miles west of Wheatfield, Ind.

7620-C1-P-70—American Telephone & Telegraph Co. (KSG65), add frequency 3950 MHz toward Norway, Ill. Location: 3.8 miles southwest of Bonfield, Ill.

7621-C1-P-70—American Telephone & Telegraph Co. (KSO82), add 3970 MHz toward Wheatfield, Ind., and add 4069 MHz toward Burrows, Ind. Location: 1.5 miles west of Moon, Ind.

7622-C1-P-70—American Telephone & Telegraph Co. (KSO83), add 4030 MHz toward Michigantown, Ind. Location: 1 mile southwest of Burrows, Ind.

7623-C1-P-70—American Telephone & Telegraph Co. (KSO81), add 4070 MHz toward Sheridan, Ind. Location: 3 miles north of Michigantown, Ind.

7624-C1-P-70—American Telephone & Telegraph Co. (KSO80), add 4030 MHz toward Indianapolis, Ind. Location: 2.5 miles east of Sheridan, Ind.

7625-C1-P-70—American Telephone & Telegraph Co. (KQO74), add 3970 MHz toward Hopetown, Ohio. Location: 111 North Fourth Street, Columbus, Ohio.

Major Amendments

6410-C1-P-70—Southern Pacific Communications Co. (new), correct frequencies toward Jonesboro Station, Ark. to read 6226.89 and 6345.50 MHz.

6412-C1-P-70—Southern Pacific Communications Co. (new), correct to add frequency 6152.75 MHz toward Jonesboro, Ark.

6417-C1-P-70—Southern Pacific Communications Co. (new), correct location geographic coordinates to read latitude 34°27'55" N., longitude 91°33'31" W. and add frequency 6404.79 MHz toward Keevil, Ark.

6431-C1-P-70—Southern Pacific Communications Co. (new), correct location geographic coordinates to read latitude 33°08'17" N., longitude 95°31'00" W.

6470-C1-P-70—Southern Pacific Communications Co. (new), correct location geographic coordinates to read latitude 31°12'36" N., longitude 105°26'26" W.

6474-C1-P-70—Southern Pacific Communications Co. (new), correct frequency toward Gage Hill, N. Mex., to read 6286.19 MHz.

6484-C1-P-70—Southern Pacific Communications Co. (new), correct receive point on frequency 6034.15 MHz to read Midway Wells, Calif.; correct bearings toward Yuma, Ariz. to read 282°19', and add frequency 6063.80 MHz, azimuth 68°58', toward Oatman Mountain, Ariz.

6485-C1-P-70—Southern Pacific Communications Co. (new), correct location geographic coordinates to read latitude 32°42'50" N., longitude 114°36'53" W.

All other terms of above identified applications to remain in exact accordance with report No. 489, dated April 27, 1970.

6126-C1-P-70—The Mountain States Telephone & Telegraph Co. (KPB52), change frequency from 11485V to 11265H MHz at station located at 70 South State Street, Salt Lake City, Utah.

6127-C1-P-70—The Mountain States Telephone & Telegraph Co. (new), change frequency from 11035V to 10655H MHz. Location: 0.35 mile north of Parleys Summit, Utah.

All other particulars same as reported in public notice dated April 20, 1970, report No. 488.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

7511-C1-P-70—Microwave Relay Services, Inc. (new), C.P. for a new station at 1350 13th Avenue, Columbus, Ga. at latitude 32°28'20" N., longitude 84°58'26" W. Frequency 6049.0H MHz on azimuth 314°55'.

7512-C1-P-70—Microwave Relay Services, Inc. (new), C.P. for a new station 2 miles east-northeast of Smiths, Ala. at latitude 32°32'43" N., longitude 85°03'39" W., frequency 6175.0V MHz on azimuth 259°39'.

7513-C1-P-70—Microwave Relay Services, Inc. (new), C.P. for a new station 1.6 miles east of Pleasant Hill, Ala., at latitude 32°27'40" N., longitude 85°36'00" W., frequency 6375.2H MHz on azimuth 275°28'.

7514-C1-P-70—Microwave Relay Services, Inc. (new), C.P. for a new station 5.5 miles east-southeast of Wetumpka, Ala., at latitude 23°30'10" N., longitude 86°07'45" W., frequency 6056.4V MHz on azimuth 303°02'.

7515-C1-P-70—Microwave Relay Services, Inc. (new), C.P. for a new station 4.7 miles southeast of Canton, Ala., at latitude 32°48'00" N., longitude 86°40'30" W., frequency 6212.0H MHz on azimuth 329°24'.

7516-C1-P-70—Microwave Relay Services, Inc. (new), C.P. for a new station 5.3 miles northwest of Montevallo, Ala., at latitude 33°09'13" N., longitude 86°55'33" W., frequencies 6352.9H on azimuth 16°55', and 6352.9V MHz on azimuth 272°26'.

7517-C1-P-70—Microwave Relay Services, Inc. (new), C.P. for a new station at 41st Avenue and 35th Street in Tuscaloosa, Ala., at latitude 33°10'25" N., longitude 87°29'01" W., frequency 6241.7V MHz on azimuth 298°40'.

7518-C1-P-70—Microwave Relay Services, Inc. (new), C.P. for a new station 4.3 miles northwest of Gordo, Ala., at latitude 33°22'16" N., longitude 87°55'04" W., frequency 6137.9H MHz on azimuth 293°30'.

Informative: Applicant proposes to provide the CBS Network television signal from Columbus, Ga., to the following television stations: WCFT-TV in Tuscaloosa, Ala.; WCBI-TV in Columbus, Miss., and WBMG (TV) in Birmingham, Ala.

7606-C1-P-70—Mountain Microwave Corp. (KZ139), C.P. to power split frequencies 6256.5H and 63159.H MHz on azimuth 352°58' at station located at Pierceville, 6 miles south-southeast of Garden City, Kansas at latitude 37°52'49" N., longitude 100°50'25" W.

Informative: Applicant proposes to provide the television signals of KWGN-TV and KERMA-TV of Denver, Colo., to Community Telecommunications, Inc.

7626-C1-P-70—United Video, Inc. (new), C.P. for a new station 1.5 miles southeast of Arkansas City, Kans., at latitude 37°01'33" N., longitude 97°00'38" W., frequency 10735V MHz on azimuth 346°00'.

7627-C1-P-70—United Video, Inc. (new), C.P. for a new station 2.5 miles southeast of Udall, Kans., at latitude 37°25'16" N., longitude 97°08'03" W., frequency 11265V MHz on azimuth 312°28'.

7628-C1-P-70—United Video, Inc. (new), C.P. for a new station 0.75 mile south-southeast of Saint Mark, Kans., at latitude 37°43'36" N., longitude 97°33'20" W., frequency 10735H MHz on azimuth 319°02'.

Informative: Applicant proposes to provide the television signal of station KTVT-TV of Dallas, Tex., to Hutchinson Cablevision, Inc., in Hutchinson, Kans.

Major Amendments

6318-C1-P-70—United Video, Inc. (new), correct location to read longitude 97°55'58" W., for station at Chicasaw, Okla.

6319-C1-P-70—United Video, Inc. (new), change frequency from 6019.3 to 6301.0 MHz.

6321-C1-P-70—United Video, Inc. (new), change frequency from 6019.3 to 6078.6V MHz.

All other particulars same as reported in Public Notice dated April 20, 1970, report No. 488.

6923-C1-ML-70—West Texas Microwave Co. (KL86), Application amended to add audio subcarrier service to subscriber at Mineral Wells, Tex.

6926-C1-ML-70—West Texas Microwave Co. (KTQ81), Application amended to add audio subcarrier service to subscriber at Synder, Tex.

All other particulars same as reported on Public Notices dated May 4 and May 18, 1970.

[F.R. Doc. 70-6634; Filed, May 27, 1970; 8:51 a.m.]

FEDERAL HOME LOAN BANK BOARD

[H.C. No. 68]

D. H. BALDWIN CO.

Notice of Receipt of Application for Approval of Acquisition of Control of Jefferson Savings and Loan Association

MAY 25, 1970.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the D. H. Baldwin Company, Cincinnati, Ohio, a unitary savings and loan holding company, for approval of acquisition of control of the Jefferson Savings and Loan Association, Arvada, Colorado, an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730a (e)), and § 584.4 of the Regulations for Savings and Loan Holding Companies, said acquisition to be effected by the purchase for cash of the stock of Jefferson Savings and Loan Association. Following said acquisition it is proposed that Jefferson Savings and Loan Association will be merged into Empire Savings and Loan Association, a subsidiary of D. H. Baldwin Company. 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. 70-6656; Filed, May 27, 1970; 8:52 a.m.]

FEDERAL MARITIME COMMISSION

BLUE STAR LINE, LTD., AND EAST ASIATIC CO., LTD.

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, N.W., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, and San Francisco, California. Comments on such agreements, including requests for hearing, 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. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the

discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Edward D. Ransom, Esq., Lillick, McHose, Wheat, Adams & Charles, 311 California Street, San Francisco, Calif. 94104.

Agreement No. 9863 between The Blue Star Line, Ltd., and the East Asiatic Co., Ltd., establishes a joint cargo service in the trade between the Pacific Coast of the United States and the United Kingdom, Eire and North European Continent (including Scandinavia and Finland), to be known as Blue Star/EAC Joint Service.

Dated: May 22, 1970.

By order of the Federal Maritime Commission,

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-6571; Filed, May 27, 1970;
8:45 a.m.]

FEDERAL POWER COMMISSION

TECHNICAL ADVISORY COMMITTEE ON TRANSMISSION FACILITIES FOR OFFSHORE NATURAL GAS

Continuation

MAY 22, 1970.

Pursuant to section 8 of Executive Order No. 11007, issued February 26, 1962 (27 F.R. 1875, 3 CFR, 1959-1963 Comp., p. 573) and paragraph 8 of the Commission's Order Establishing the Technical Advisory Committee on Transmission Facilities for Offshore Natural Gas, issued June 19, 1968 (33 F.R. 9360, June 26, 1968), the Commission hereby determines that the continued existence of the Technical Advisory Committee on Transmission Facilities for Offshore Natural Gas for an additional two year period, from June 19, 1970, through June 18, 1972, is in the public interest.

The Secretary shall cause prompt publication of this determination to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6620; Filed, May 27, 1970;
8:49 a.m.]

[Docket No. CP61-263]

CITIES SERVICE GAS CO.

Notice of Petition to Amend

MAY 20, 1970.

Take notice that on May 14, 1970, Cities Service Gas Company (Petitioner),

Post Office Box 25128, Oklahoma City, Oklahoma 73125, filed in Docket No. CP61-263 a petition to amend the order of the Commission issued pursuant to section 7(c) of the Natural Gas Act on March 30, 1962, to authorize an increase in the volume of natural gas it may transport from Oklahoma Natural Gas Gathering Corporation (Gathering), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner was heretofore authorized by the aforementioned order to transport up to 40,000 Mcf of natural gas per day purchased from Gathering in Noble County, Oklahoma. Petitioner now proposes to increase the purchased volume by 15,000 Mcf per day to total 55,000 Mcf of natural gas per day to offset normal production decline on its South of Blackwell pipeline system and maintain service to existing customers.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before June 12, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6575; Filed, May 27, 1970;
8:46 a.m.]

[Docket No. R170-1446, etc.]

CONTINENTAL OIL CO.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates and Allowing Rate Changes to Become Effective Subject to Refund; Correction

MAY 14, 1970.

In the order providing for hearing on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued April 1, 1970, and published in the FEDERAL REGISTER April 10, 1970 (35 F.R. 5973), Appendix "A", Docket No. R170-1446, Continental Oil Co. (opposite rate schedule No. 183) under column headed "Date Suspended Until" change "11-2-70" to read "11-2-69". (opposite rate schedule No. 138) under column headed "Date Suspended Until" change "11-2-70" to read "11-2-69".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6572; Filed, May 27, 1970;
8:46 a.m.]

[Docket No. R170-1431, etc.]

CONTINENTAL OIL CO. AND B & D CORP.

Order Providing for Hearings and Suspension of Proposed Changes in Rates; Correction

MAY 14, 1970.

Continental Oil Co., Docket Nos. R170-1431 et al.; B & D Corp., Docket No. R170-1432.

In the order providing for hearings on and suspension of proposed changes in rates, issued March 31, 1970, and published in the FEDERAL REGISTER April 9, 1970 (35 F.R. 5838), Appendix "A", Docket No. R170-1432, B & D Corp.; (Opposite Supplement No. 2) under column headed "Proposed Increased Rate" change "20.0" to read "20.6".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6574; Filed, May 27, 1970;
8:46 a.m.]

[Docket No. CP70-199]

CUMBERLAND NATURAL GAS CO., INC.

Order Permitting Intervention, Setting Hearing Date and Prescribing Procedure

MAY 20, 1970.

Cumberland Natural Gas Co., Inc. (Cumberland), Greenville, Ky. 42345, filed, pursuant to section 7(b) of the Natural Gas Act, an application for an order authorizing Cumberland to abandon natural gas pipeline facilities consisting of approximately 14 miles of 6-inch pipeline, a compressor and appurtenant facilities in Hopkins and Muhlenberg Counties, Kentucky, and also service rendered through said facilities to Texas Gas Transmission Corporation (Texas Gas), Owensboro, Kentucky 42301, at an existing connection with Texas Gas' pipeline near Nortonville, Hopkins County, Ky.

Cumberland alleges that all gas supply connected to the pipeline which it seeks to abandon has reached such a low pressure that it is not feasible to compress and deliver the gas to Texas Gas, that no gas has been delivered since the fall of 1968, that Cumberland does not have any gas supply to deliver, and abandonment is necessary so that the pipeline can be removed and sold.

Notice of Cumberland's application, setting March 23, 1970, as the final date for filing protests or petitions to intervene, was published in the FEDERAL REGISTER on March 12, 1970 (35 F.R. 4425). Texas Gas Transmission Corporation filed a timely petition to intervene alleging that it is a customer of Cumberland and therefore has a direct and substantial interest in this proceeding which will not be adequately represented by any other party and requested a formal hearing.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that a public hearing be

held on the issues presented by Cumberland's application in Docket No. CP70-199 as ordered hereinafter.

(2) Good cause exists to allow the petitioner named above to intervene in this proceeding subject to its compliance with the terms of this order in order that it may establish the facts and law from which the nature and validity of its alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) The petitioner named above is permitted to intervene in this proceeding subject to the rules and regulations of the Commission provided that it shall comply with the terms of this order and that its participation shall be limited to matters affecting rights and interests expressly asserted in its petition to intervene; and provided further that the admission of such intervener shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders entered in this proceeding.

(B) A public hearing on the issues presented by Cumberland's application in Docket No. CP70-199 will be held in a hearing room of the Federal Power Commission, 441 G Street, N.W., Washington, D.C. 20426, commencing at 10:00 a.m., e.d.t., on October 8, 1970.

(C) The applicant and the petitioner to intervene shall file with the Commission and serve on one another and the Commission's staff proposed evidence, including prepared testimony of witnesses and exhibits, as follows:

Cumberland shall file and serve evidence comprising its case-in-chief on or before July 6, 1970.

The petitioner to intervene shall file and serve a statement of its position and evidence to support the allegations in its petition and its position on or before August 10, 1970.

Cumberland shall file and serve rebuttal evidence on or before September 8, 1970.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6576; Filed, May 27, 1970;
8:46 a.m.]

[Docket No. CP70-276]

EASTERN SHORE NATURAL GAS CO.

Notice of Application

MAY 22, 1970.

Take notice that on May 15, 1970, Eastern Shore Natural Gas Company (Applicant), Post Office Box 615, Dover, Delaware 19901, filed in Docket No. CP70-276 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and an increase in the level of contract demand natural gas service and general storage service to existing customers, all as more fully set forth in the application

which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 8 miles of 10-inch pipeline looping, which it states will constitute the fourth segment in the loop of its mainline, to add capacity to accommodate market increases during the 1970-71 heating season. Applicant further proposes to increase its contract demand service to several of its existing customers by a total of 400 Mcf per day and general storage service to certain of its existing customers by 600 Mcf per day.

The total estimated cost of the proposed facilities is \$275,090, which will be financed by funds generated internally and by short-term loans.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 15, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6622; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. CP70-274]

MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Application

MAY 21, 1970.

Take notice that on May 13, 1970, Mississippi River Transmission Corp. (applicant), 9900 Clayton Road, St. Louis, Mo. 63124, filed in Docket No.

CP70-274 an application pursuant to section 7(b) of the Natural Gas Act for an order of the Commission granting permission and approval to abandon certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon by sale to Production Operators, Inc. (Production), 19 field compressor units with a total 6,667 compressor horsepower presently used by applicant for the compression and gathering of natural gas from the Woodlawn Field, Tex. Applicant states that general field and individual well pressures in the Woodlawn Field continue to decline, but that pursuant to the agreement between the parties whereby Production will continue to provide field compression and utilize applicant's gathering lines and Woodlawn Field Central Compressor Station to gather and deliver natural gas into applicant's West Supply line, applicant will be able to realize a savings of \$102,000 in the first 3 years of proposed operations by Production. In addition applicant states that this arrangement will result in delivery into its system of additional natural gas which might not otherwise be recovered.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 15, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6623; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. CP70-120]

NATURAL GAS PIPELINE COMPANY OF AMERICA**Notice of Petition to Amend**

MAY 22, 1970.

Take notice that on May 19, 1970, Natural Gas Pipeline Company of America (Petitioner), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP70-120 a petition to amend the order of the Commission issued on March 18, 1970, pursuant to section 7(c) of the Natural Gas Act, to authorize the construction and operation of an additional 9.71 miles of 36-inch loopline, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner was authorized by the aforementioned order, inter alia, to construct and operate 143.94 miles of 36-inch Amarillo line looping in various locations in Oklahoma, Kansas, Nebraska, Iowa, and Illinois. Petitioner states that 153.65 miles of 36-inch looping of its Amarillo line is necessary to conform with design conditions and to correct operational difficulties experienced during the 1969-70 winter.

The total estimated cost of the proposed additional facilities is \$1,717,000, and will bring the total estimated cost of the project to \$33,432,000.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before June 15, 1970, filed with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 70-6624; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. CP70-279]

SOUTHERN NATURAL GAS CO.**Notice of Application**

MAY 21, 1970.

Take notice that on May 18, 1970, Southern Natural Gas Company (Applicant), Post Office Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP70-279 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities for the transportation of natural gas in interstate commerce, all as more fully set

forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate a 24-inch pipeline crossing of the Mississippi River near its White Castle Compressor Station, Louisiana, in the same trench as the proposed 30-inch pipeline crossing authorized in Docket No. CP69-291. Applicant states that it has been advised by the U.S. Army Corps of Engineers that they intend to dredge the Mississippi River in the vicinity of applicant's existing four 12 $\frac{3}{4}$ -inch pipelines and that safety precautions necessitate the draining of gas from said pipelines. Applicant proposes to maintain its present level of service with the proposed pipelines.

The total estimated cost of the proposed facilities is \$548,760, which will be financed from cash on hand and from current operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 15, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6625; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. CP70-275]

TENNESSEE GAS PIPELINE CO.**Notice of Application**

MAY 21, 1970.

Take notice that on May 14, 1970, Tennessee Gas Pipeline Company, a

Company, a Division of Tenneco Inc. (Applicant), Post Office Box 2511, Houston, Texas 77001, filed in Docket No. CP70-275 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing additional natural gas storage service to certain existing storage service customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to render additional interim storage service under an existing rate schedule to Orange and Rockland Utilities, Inc. for the period beginning November 1, 1970, and extending to November 1, 1971. Such proposed service will provide an additional daily storage quantity of 11,200 Mcf and an additional winter storage capacity of 1,680,000 Mcf.

Applicant further proposes to render additional long-term storage service under existing rate schedules to Central Hudson Gas and Electric Service, Connecticut Natural Gas Corporation, Consolidated Edison Company of New York, Inc., The Brooklyn Union Gas Company, The Manufacturers Light and Heat Company, Pennsylvania Gas and Water Company, and Public Service Electric and Gas Company commencing November 1, 1970. Such proposed service will provide an additional total daily storage quantity of 69,462 Mcf and an additional total winter storage quantity of 9,301,380 Mcf.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 15, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6626; Filed, May 27, 1970;
8:50 a.m.]

[Docket No. RI70-1303, etc.]

TEXACO, INC., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates; Correction

MAY 14, 1970.

Texaco, Inc., Docket Nos. RI70-1303, et al.; Texaco, Inc. (Operator), et al., Docket No. RI70-1319.

In the order providing for hearings on and suspension of proposed changes in rates, issued March 4, 1970, and published in the FEDERAL REGISTER March 13, 1970 (35 F.R. 4532), Appendix "A," Docket No. RI70-1319, Texaco, Inc. (Operator), et al., under column headed "Effective Date Unless Suspended" change "3-31-70" to read "3-21-70." Under column headed "Date Suspended Until" change "8-31-70" to read "8-21-70."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6573; Filed, May 27, 1970;
8:46 a.m.]

[Docket No. CP70-278]

UNITED GAS PIPE LINE CO.

Notice of Application

MAY 21, 1970.

Take notice that on May 18, 1970, United Gas Pipe Line Co. (applicant), 1500 Southwest Tower, Houston, Tex. 77002, filed in Docket No. CP70-278 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing an increase in sales and deliveries of natural gas to Mississippi River Transmission Corp. (Mississippi) and the construction and operation of certain facilities necessary therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 13.7 miles of 30-inch loops on its South to North Louisiana 30-inch line to meet the increase in demands of Mississippi's jurisdictional sales for resale. Applicant further proposes to increase the presently authorized maximum daily quantity for sales to Mississippi from 540,025 Mcf to 591,746 Mcf beginning November 1, 1970. The proposed estimated third year additional peak day and annual natural gas requirements are 51,721 Mcf and 18,878,165 Mcf, respectively.

The total estimated cost of the proposed facilities is \$3,300,000, which will be financed by funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 15, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-6627; Filed, May 27, 1970;
8:50 a.m.]

**SMALL BUSINESS
ADMINISTRATION**

[Delegation of Authority 30, Rev. 3; Jackson, Miss., Disaster 1]

**MANAGER, DISASTER BRANCH
OFFICE, CORINTH, MISS.**

**Delegation of Authority Regarding
Financial Assistance Functions**

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 3), Southeastern Area, 35 F.R. 832, January 21, 1970, there is hereby redelegated to the Manager of the Corinth Disaster Branch Office the following authority:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of

(a) \$50,000 per household for repairs or replacement of the home and/or not

to exceed an additional \$10,000 allowable for household goods and personal items, but in no event may the money loaned for physical loss or damage exceed \$55,000 for a single disaster on home loans, and

(b) \$100,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan, and

(c) To approve disaster guaranteed loans up to \$100,000 and to decline them in like amount.

2. To close and disburse approved loans.

3. To execute loan authorizations for Central, Area and Regional Office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

Administrator,

By _____
Manager,
Disaster Branch Office

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

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

II. The authority delegated herein may not be redelegated.

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

Effective date: April 24, 1970.

GEORGE A. FEILD,
Regional Director,
Jackson, Miss.

[F.R. Doc. 70-6582; Filed, May 27, 1970;
8:46 a.m.]

PEACHTREE CAPITAL CORP.

Notice of License Surrender

Notice is hereby given that Peachtree Capital Corporation (PCC), 230 Houston Street NE., Atlanta, Georgia 30303, has surrendered its license to operate as a small business investment company pursuant to § 107.105 of the regulations governing small business investment companies (33 F.R. 326, 13 CFR Part 107).

PCC was licensed as a small business investment company on August 18, 1961, to operate solely under the Small Business Investment Act of 1958 (the Act), as amended (15 U.S.C. 661, et seq.), and the Regulations promulgated thereunder.

Under the authority vested by the Act, and pursuant to the cited regulation, the surrender of the license was accepted and all rights, privileges, and franchises derived therefrom were cancelled and terminated as of May 11, 1970.

For SBA.

Dated: May 15, 1970.

A. H. SINGER,
Associate Administrator
for Investment.

[F.R. Doc. 70-6583; Filed, May 27, 1970;
8:46 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

AMERICAN ST.-GOBAIN CORP.,
ARNOLD, PA.Notice of Certification of Eligibility of
Workers to Apply for Adjustment
Assistance

Under date of March 19, 1970, a petition requesting certification of eligibility to apply for adjustment assistance was filed with the Director, Office of Foreign Economic Policy, Bureau of International Labor Affairs, by the United Glass and Ceramic Workers, AFL-CIO, and the Window Glass Cutters League of America, AFL-CIO, on behalf of workers of the Arnold, Pennsylvania, sheet glass plant of the American St.-Gobain Corporation. The petition points out that the request for certification is made under Proclamation 3967 ("Adjustment of Duties on Certain Sheet Glass") of February 27, 1970 (35 F.R. 3975). In that proclamation, the President, among other things, acted to provide under section 302(a)(3) with respect to the sheet glass industry that its workers may request the Secretary of Labor for certifications

of eligibility to apply for adjustment assistance under Chapter 3, Title III, of the Trade Expansion Act of 1962.

The Trade Expansion Act, section 302(b)(2), provides that the Secretary of Labor shall certify as eligible to apply for adjustment assistance under Chapter 3 any group of workers in an industry with respect to which the President has acted under section 302(a)(3) upon a showing by such group of workers to the satisfaction of the Secretary of Labor that the increased imports (which the Tariff Commission has determined to result from concessions granted under trade agreements) have caused or threatened to cause unemployment or underemployment of a significant number or proportion of workers of such workers' firm or subdivision thereof. The same degree of causal connection is applicable here as under the tariff adjustment and other adjustment assistance provisions—that is, the increased imports have been the major factor.

Upon receipt of the petition, the Department's Director of the Office of Foreign Economic Policy instituted an investigation, following which he made a recommendation to me relating to the matter of certification (Notice of Delegation of Authority and Notice of In-

vestigations 34 F.R. 18342 and 35 F.R. 5383; 29 CFR Part 90). The Director reported that increased imports of sheet glass of the types covered by the Presidential Proclamation 3967 have been the major factor in causing the unemployment or underemployment of a significant number of workers from the plant of the American St.-Gobain Corporation in Arnold, Pennsylvania. He further reported that this unemployment or underemployment began on February 1, 1968, and has continued to the present.

After due consideration, I make the following certification:

Those production, maintenance, and salaried workers of the American St.-Gobain Corporation, Arnold plant, located at Arnold, Pennsylvania, who became or will become unemployed or underemployed on or after February 1, 1968, are eligible to apply for adjustment assistance under Chapter 3, Title III, of the Trade Expansion Act of 1962.

Signed at Washington, D.C., this 25th day of May 1970.

GEORGE H. HILDEBRAND,
Deputy Under Secretary,
International Affairs.

[F.R. Doc. 70-6657; Filed, May 27, 1970;
8:52 a.m.]

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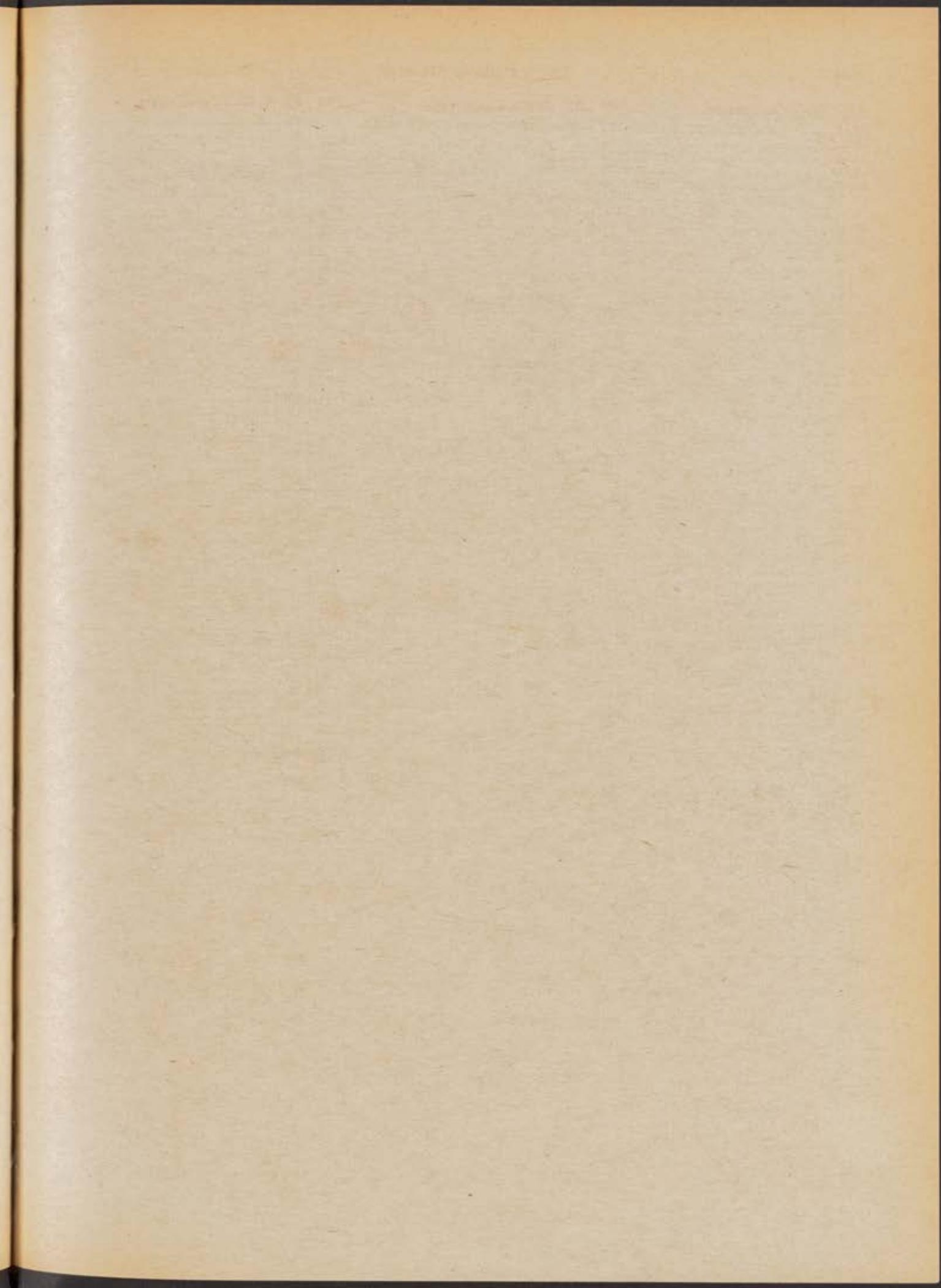
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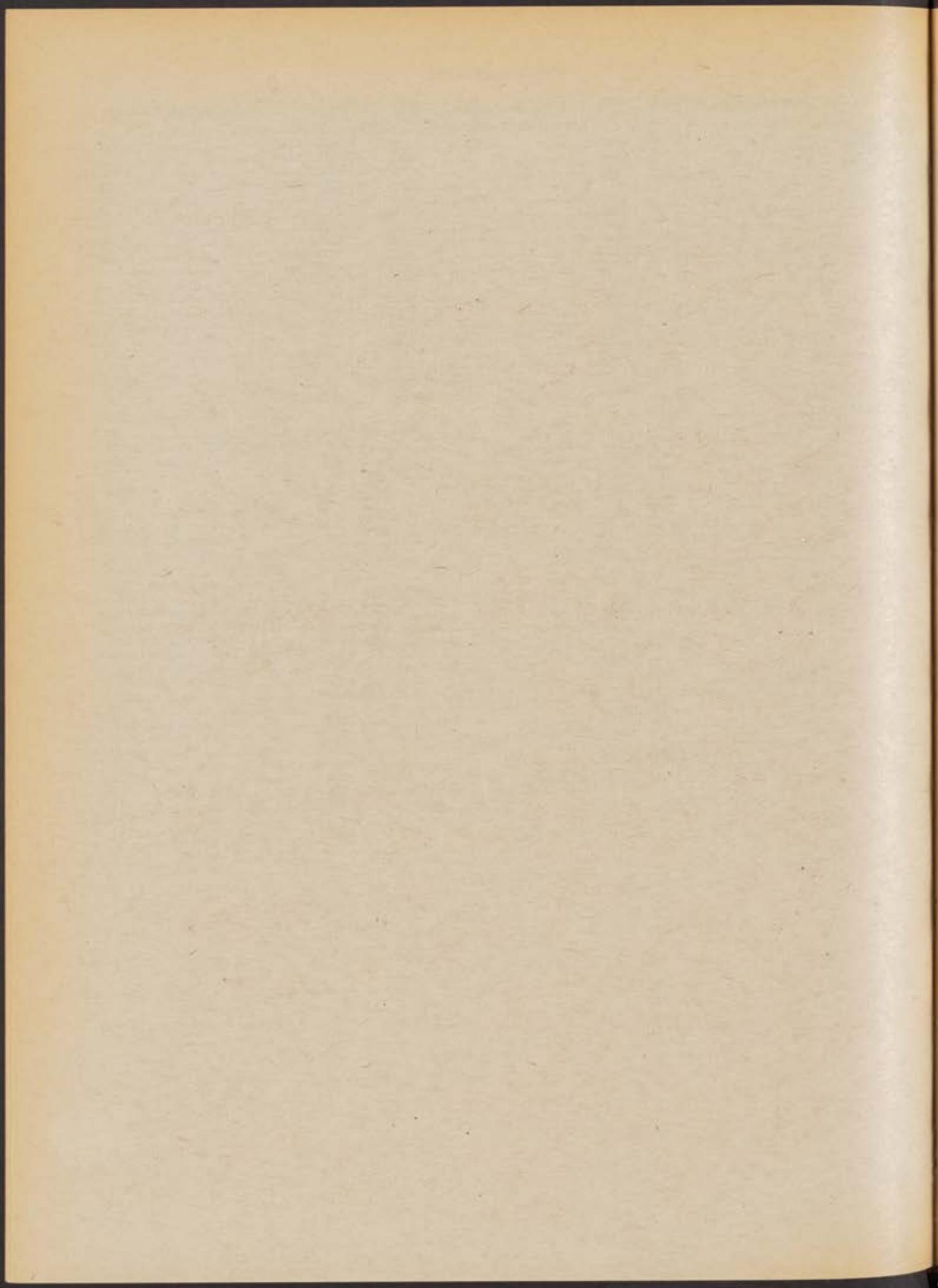
50 CFR

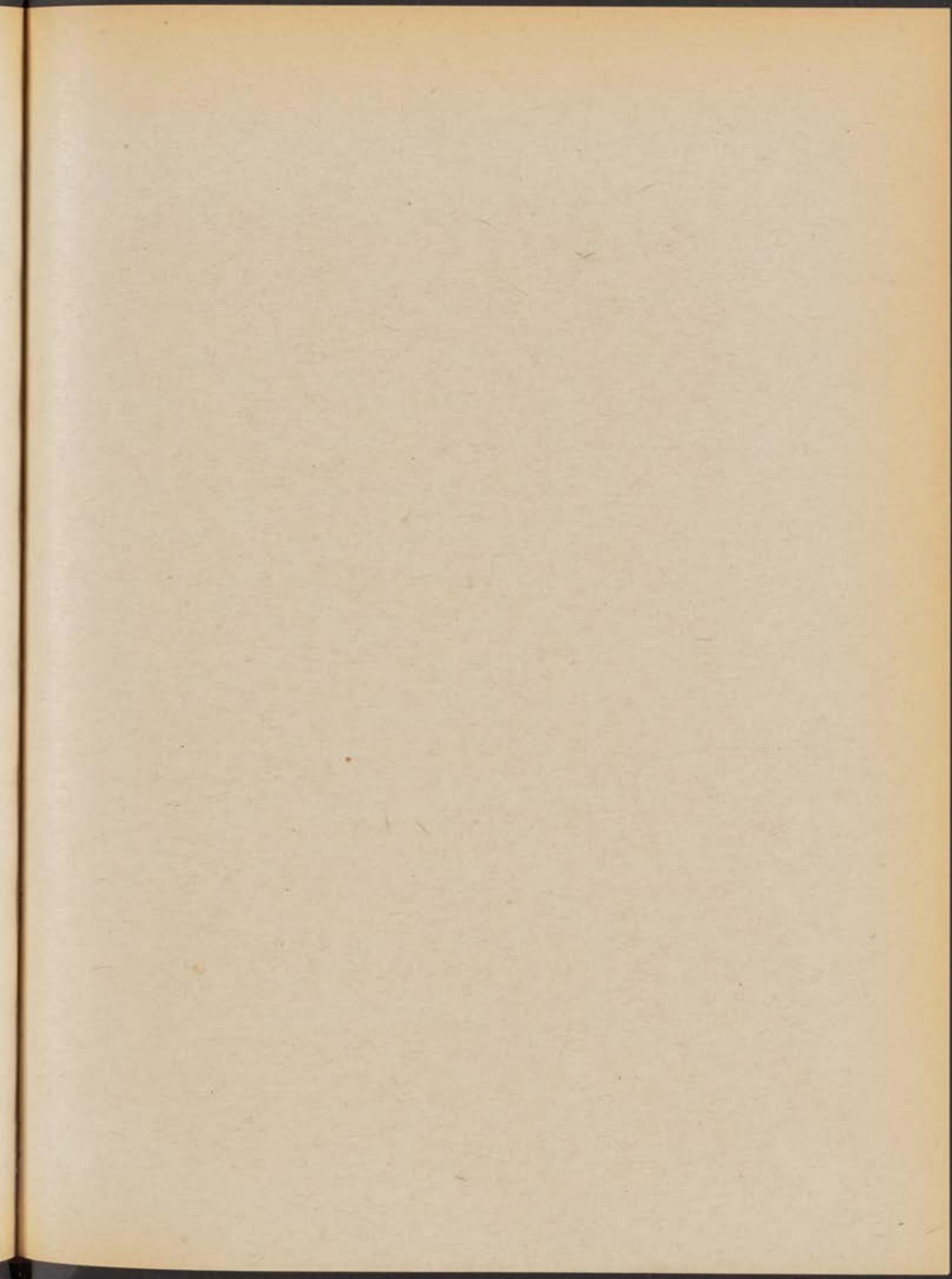
28	7975
33	7123, 7382, 7734, 7801
80	7017
210	7070
241	7801
280	8366

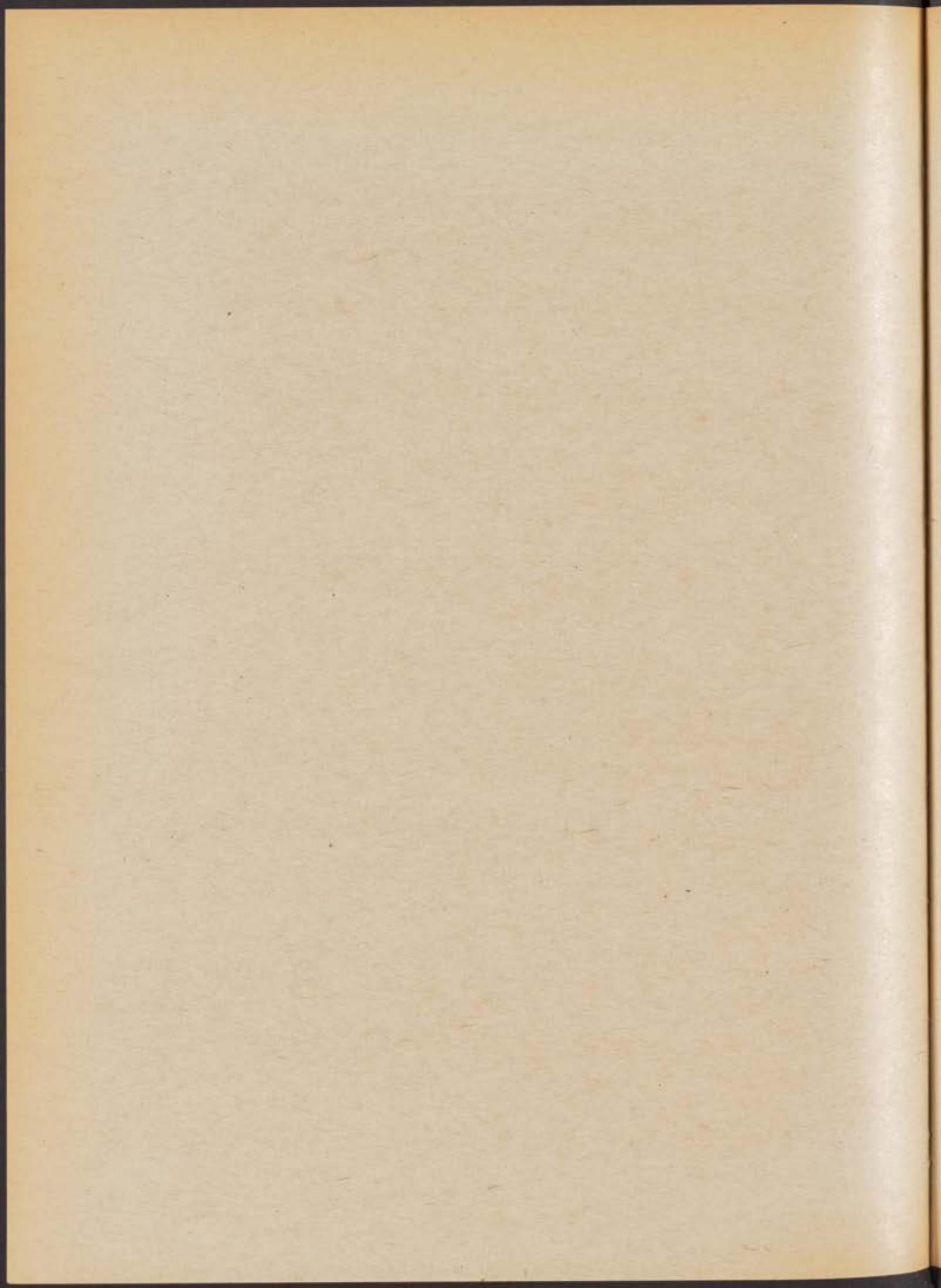
PROPOSED RULES:

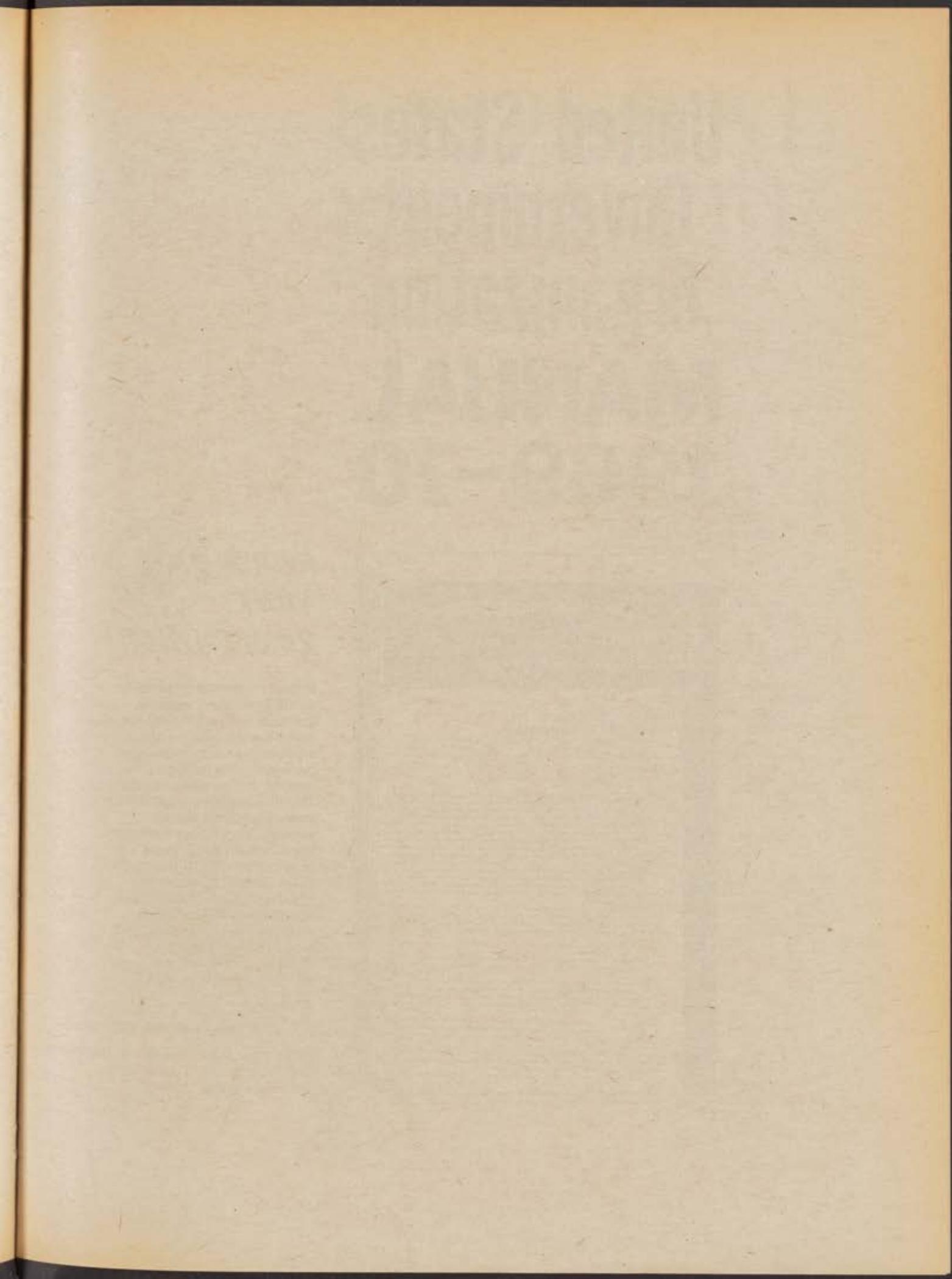
10	8285
273	7737
280	7438



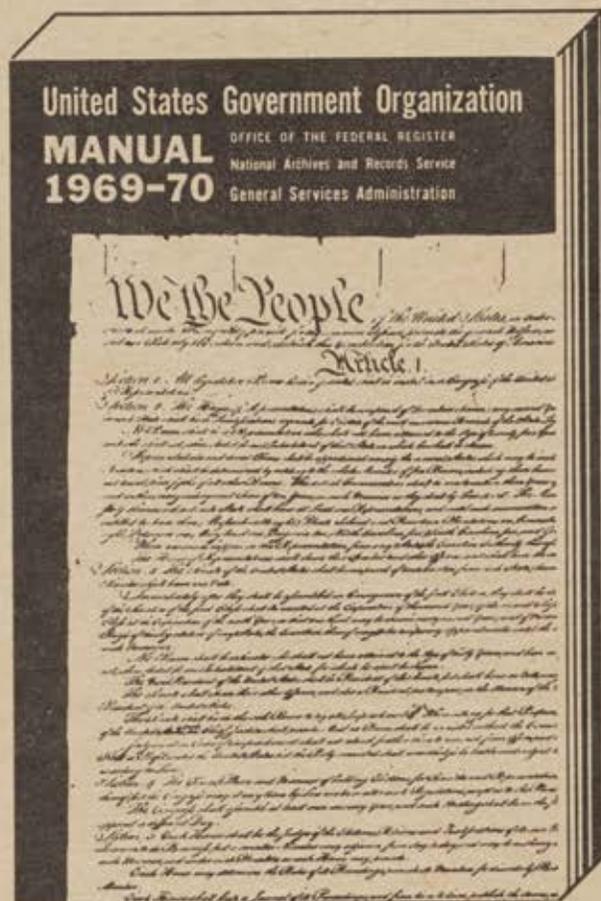








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