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(As of January 1, 1961)

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1960 Supplement to Title

3----- \$0.50

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Title 7 (Parts 51-52)----- .60

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Rules and Regulations

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-335]

PART 36—POULTRY HATCHING AND BREEDING INDUSTRY

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of February 22, 1961.

Statement by the Commission. Trade practice rules for the Poultry Hatching and Breeding Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure. Such rules constitute a revision and extension of the trade practice rules for the Poultry Hatching and Breeding Industry promulgated by the Commission on June 30, 1956, and supersede the 1956 rules.

The industry for which these rules are established is composed of persons, firms, corporations, and organizations engaged in the marketing of any kind or kinds of live poultry for growing or breeding for egg or meat production, and of poultry eggs for hatching use. The live poultry mentioned includes, but is not limited to, chicks, poults, goslings, and ducklings.

The rules are directed to the prevention and elimination of various practices deemed to be violative of laws administered by the Commission. They are to be applied to such end and to the exclusion of any acts or practices which suppress competition or otherwise restrain trade.

Proceedings for the establishment of these rules were instituted upon applications of the American Poultry and Hatchery Federation and of the National Plans Conference of 1960 (National Poultry and Turkey Improvement Plans). After due consideration of proposals received, proposed rules for the Poultry Hatching and Breeding Industry were published by the Commission and made available to all industry members and other interested or affected parties upon public notice whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, or amendments as they desired to offer and to be heard in the premises. Pursuant to such notice, a public hearing was held at Lafayette, Indiana, on October 25, 1960, and all matters there presented, or otherwise received in the proceedings, were duly considered by the Commission.

Thereafter, and upon full consideration of the entire matter, final action was taken by the Commission whereby it approved and received, respectively, the Group I and Group II rules as herein-after set forth.

Such rules become operative thirty (30) days from the date of promulgation.

The rules. These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which fixes or controls prices through combination or agreement, or which unreasonably restrains trade or suppresses competition, or otherwise unlawfully injures, destroys, or prevents competition, that the rules are to be applied.

Group I. The unfair trade practices embraced in the rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Group II. Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of Group II rules does not per se constitute violation of law. Where, however, the practice of not complying with such rules is followed in a manner as to result in unfair methods of competition or unfair or deceptive acts or practices in commerce, corrective proceedings in respect thereto may be instituted by the Commission as in the case of violation of Group I rules.

Sec.
36.0 The industry and its products defined.

GROUP I

- 36.1 Misrepresentation of products.
- 36.2 Deceptive concealment of material facts.
- 36.3 Deceptive claims relating to National Poultry Improvement Plan or National Turkey Improvement Plan.
- 36.4 Misrepresentation concerning a breeder's name, trade name, strain or combination of strains, or other breeding combination, etc.
- 36.5 Deceptive claims respecting freedom or immunity from disease.
- 36.6 Deceptive representations as to performance, earnings, etc.
- 36.7 Misrepresentation as to yields of eggs, as to chicks from hens with purported high egg-laying records, as to chicks from high egg-producing stock, etc.

- Sec.
36.8 Misrepresenting chicks as from high-performance stock.
- 36.9 Misrepresentation as to terms "cross-bred," "inbred line," "in-cross-bred," "hybrid," etc.
- 36.10 Misuse of term "dominant white," etc.
- 36.11 Misrepresentation respecting new breed of poultry.
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- 36.19 Guarantees, warranties, etc.
- 36.20 Fictitious prices.
- 36.21 Substitution of products.
- 36.22 Use of the word "free."
- 36.23 Prohibited sales below cost.
- 36.24 Prohibited forms of trade restraints (unlawful price fixing, etc.)
- 36.25 Tie-in sales—coercing purchase of one product as a prerequisite to the purchase of other products.
- 36.26 Prohibited discrimination.
- 36.27 Aiding or abetting use of unfair trade practices.

GROUP II

- 36.101 Shipping chicks to fictitious consignees, etc.

AUTHORITY: §§ 36.0 to 36.101 issued under sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45.

§ 36.0 The industry and its products defined.

Members of the industry to which the rules have application are persons, firms, corporations, and organizations engaged in the marketing of any kind or kinds of live poultry for growing or breeding for egg or meat production, and of poultry eggs for hatching use. The live poultry mentioned includes, but is not limited to, chicks, poults, goslings, and ducklings.

NOTE: As used in these rules, the word "chicks" shall be construed to include all kinds of live poultry.

GROUP I

§ 36.1 Misrepresentation of products.

In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any member of the industry to make or publish, or cause to be made or published, any statement or representation (whether in the form of advertisement, trade promotional literature, mark, stamp, brand, label, depiction, photograph, illustration, radio or television broadcast, or otherwise) concerning:

(a) The grade, quality, quantity, breed, strain, cross, pedigree, type, sex,

sexing, culling, quick maturity, uniform development, livability, vigor, strength, character, price, nature, origin, weight, color, size, egg-producing, meat-producing, disease-resisting, or other qualities of such products; or

(b) The production, sale, distribution, or delivery thereof, including the terms or conditions of sale; or

(c) The supervision, endorsement, or approval of any poultry breeding, hatching, or other operation by Federal, State, or other authority, or any official connection with such Federal, State, or other authority, including random sample, standard laying, or other test results; or

(d) Any other matter relating to the poultry hatching or breeding business or to any of its products—which, directly or by implication, is false, misleading, or deceptive in any respect.

NOTE: The inhibitions of this section are to be understood as applicable to representations or implications, such as "A," "AA," "AAA," etc., that any industry product conforms to the requirements of any grade or quality standard when (1) no such grade or quality standard exists, or (2) no disclosure of the identity of such standard, whether private, official, or otherwise, is made, or (3) when the member's product does not conform to such grade or quality standard.

[Rule 11]

§ 36.2 Deceptive concealment of material facts.

(a) In advertising, offering for sale, or selling industry products, it is an unfair trade practice for any member of the industry to fail to disclose any material facts relating to such products when such failure has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers of such products.

(b) Among the practices prohibited by this section are the following:

(1) Filling chick orders with chicks which are wholly or predominantly cockerels, or are of a different stock or quality than offered for sale, without having disclosed this fact to the purchaser prior to sale.

(2) Shipping chicks upon dates different from those specified or implied in the orders without disclosure or notice of such changes prior to shipment.

(3) Representing that the parent flocks of chicks contain certain desirable types of males or females without disclosure of the approximate percentage or proportion of the flocks accounted for by such types. [Rule 2]

§ 36.3 Deceptive claims relating to National Poultry Improvement Plan or National Turkey Improvement Plan.

(a) In connection with the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member to represent or imply that he is a participant in the National Poultry Improvement Plan¹ or the National Turkey Improvement Plan,¹ when such is not the fact.

¹ These Plans have been promulgated by the United States Department of Agriculture and are contained in the Code of Federal Regulations, 9 CFR, Parts 145, 146, and 147.

NOTE: In order to avoid deception of purchasers or prospective purchasers of industry products, all industry members discontinuing participation in the National Poultry Improvement Plan, or the National Turkey Improvement Plan, shall immediately remove and discontinue the use of all signs, promotional literature, labels, and other representations or indications that they are still participating in such Plan or Plans.

(b) In connection with the sale, offering for sale, or distribution of industry products, it is an unfair trade practice to use any of the terminology of the National Poultry Improvement Plan or the National Turkey Improvement Plan (such as "U.S. Approved," "U.S. Pullorum-Typhoid Clean," etc.), or any abbreviation or simulation of such terminology, as descriptive of industry products to which such terms are not fully applicable in accordance with the requirements therefor specified in such Plans. [Rule 3]

§ 36.4 Misrepresentation concerning a breeder's name, trade name, strain or combination of strains, or other breeding combination, etc.

(a) It is an unfair trade practice to make false or deceptive representations, directly or by implication, in advertising or otherwise, concerning a breeder's name, trade name, strain or combination of strains or other breeding combination, or the progeny or stock of such breeding combination.

(b) It is also an unfair trade practice to represent, directly or by implication, through advertising or otherwise, chicks or hatching eggs as being of a particular breeder's pure strain, strain cross, breed cross, or other breeding combination, unless such chicks or hatching eggs are from flocks composed of birds hatched from eggs produced under the direct supervision of the breeder or a multiplier designated by the breeder.

NOTE: (1) The term "Strain" as used in this section means poultry bearing a given name produced through at least five generations of closed flock breeding.

(2) The term "Stock" is used in this section to identify the progeny of a specific breeding combination of chickens or turkeys. These breeding combinations may include pure strains, strain crosses, breed crosses, or other breeding combinations.

[Rule 4]

§ 36.5 Deceptive claims respecting freedom or immunity from disease.

(a) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member to advertise, describe, or otherwise represent or imply, that chicks or hatching eggs are free from any or all diseases when such is not the fact.

NOTE: At present there exist no tests, inoculations, vaccinations, etc., which poultry pathologists consider adequate to assure that chicks or hatching eggs are completely and absolutely free from any or all poultry diseases. Accordingly, such claims as "disease free," "pullorum free," or "100 percent pullorum free," must not be made by industry members.

Requirements applicable to claims and representations respecting tests, inoculations, vaccinations, and treatments for poultry diseases are set forth in paragraphs (b) and (c) of this section.

(b) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member to advertise, describe, or otherwise represent or imply, that chicks or hatching eggs come from birds or flocks which have been tested for pullorum, typhoid, and/or other disease or diseases, when:

(1) Such birds or flocks have not been tested for the particular disease or diseases during the past twelve months; or

(2) The tests applied are not recognized by poultry pathologists as effective; or

(3) The methods used in making the tests, the number, timing, or manner of applying them, the qualifications of the person or persons making them, or other attendant circumstances, are not such as to assure the effectiveness of the tests.

(c) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member to advertise, describe, or otherwise represent or imply, that chicks have been vaccinated, inoculated, or treated for any disease or diseases, when such is not the fact, or when the vaccination, inoculation, or treatment applied is of a kind not recognized by poultry pathologists as effective, or when the methods used, the timing or the extent thereof, the qualifications of the person or persons making the same, or other attendant circumstances, are not such as to assure their effectiveness. (See the first paragraph of the note following paragraph (a) of this section, and see also paragraph (b) of this section.) [Rule 5]

§ 36.6 Deceptive representations as to performance, earnings, etc.

It is an unfair trade practice to make false or deceptive statements or representations, directly or by implication, in advertising or otherwise, regarding performance, opportunities for making money, or actual or probable earnings, income, profits, etc.

NOTE: In the interest of avoiding deception of purchasers or prospective purchasers, industry members desiring to make use, in advertising or otherwise, of any facts or figures published in the official reports concerning random sample, standard laying, or other tests shall state or otherwise employ such facts or figures only in a full, adequate and nondeceptive manner.

[Rule 6]

§ 36.7 Misrepresentation as to yields of eggs, as to chicks from hens with purported high egg-laying records, as to chicks from high egg-producing stock, etc.

(a) *Misrepresentation as to yields of eggs.* It is an unfair trade practice to represent, directly or by implication, through advertising or otherwise, that high yields of eggs are received from all or any flocks of a particular seller or producer when such is not the fact.

(b) *Misrepresentation as to chicks from hens with purported high egg-laying records.* It is an unfair trade practice to represent, directly or by implication, through advertising or otherwise, that chicks are produced by hens having certain purported high egg-laying records when the records of such

hens have not been adequately established and the period of time and the method used for computation are not clearly disclosed in the advertising.

(c) *Misrepresenting chicks as from high egg-producing stock, etc.* It is an unfair trade practice to represent, directly or by implication, through advertising or otherwise, that chicks offered for sale are from high egg-producing stock or blood lines when such fact has not been established, or when such representation is otherwise false, misleading, or deceptive. [Rule 7]

§ 36.8 Misrepresenting chicks as from high-performance stock.

It is an unfair trade practice to advertise, describe, or otherwise represent, directly or by implication, that chicks sold or offered for sale are the progeny of or are descended from high-performance stock, when such is not the fact. [Rule 8]

§ 36.9 Misrepresentation as to terms "crossbred," "inbred line," "in-crossbred," "hybrid," etc.

(a) It is an unfair trade practice to make false or deceptive statements or representations, directly or by implication, in advertising or otherwise, relative to the breeding incident to the production of chicks or hatching eggs, or to use any term or designation as descriptive thereof which conveys or tends to convey an erroneous impression as to the kind or extent of the breeding employed.

(b) For the purpose of this section and in its application, the following terms are acceptable when used in accordance with their respective definitions:

(1) *"Crossbred"*. The first generation poultry, chicks, or eggs produced by crossing two different breeds or varieties, or first-generation combinations of breeds or varieties.

(2) *"Inbred line"*. A group of inbred chicks resulting from breeding closely related poultry and in which the individuals in question have an average coefficient of inbreeding of 37.5 percent (equivalent to two generations of brother-sister matings).

(3) *"In-crossbred"*. The first generation poultry, chicks, or eggs produced by crossing two inbred lines, first-generation combinations of inbred lines, or the crossing of an inbred line with a first-generation combination of inbred lines.

NOTE: To some purchasers and prospective purchasers of chicks and hatching eggs, the term "hybrid" implies application of genetic principles similar to those employed in the production of hybrid seed corn, and to others the application of a selective system of breeding dissimilar to that employed in the production of hybrid seed corn.

The term is generally regarded as denoting a superior quality and vigor resulting from systematic breeding and shall only be used to describe chicks and hatching eggs having such superior quality and vigor.

In the interest of avoiding deception of purchasers and prospective purchasers, industry members desiring to use the term "hybrid" as descriptive of such chicks and

hatching eggs shall, in addition, confine the use thereof to established industry products obtained by crossing different inbred lines, or by crossing different breeds, varieties, strains, or lines, and shall qualify the word "hybrid" by stating in immediate conjunction therewith the type of cross used in the production of the industry product, such as "inbred line-cross hybrid" or "inbred hybrid," "cross-bred hybrid," "strain-cross hybrid," "line-cross hybrid," etc.

Industry members will be expected to maintain adequate breeding records showing the establishment of the advertised product.

[Rule 9]

§ 36.10 Misuse of term "dominant white," etc.

It is an unfair trade practice to represent, through advertising or otherwise, directly or by implication, chickens as "dominant white," or by similar expressions, unless such chickens, when used as either male or female parents in combination with any chickens, produce only progeny that is generally predominantly white in color: *Provided, however*, That when the surface color of such progeny is other than white, the under color must be white. [Rule 10]

§ 36.11 Misrepresentation respecting new breed of poultry.

(a) It is an unfair trade practice to offer for sale, sell, advertise, describe, or otherwise represent, directly or by implication, any chicks or other poultry as being a new breed or as being the progeny of a new breed, when such is not the fact.

(b) This section shall not be construed as preventing chicks or other poultry from being described as a new breed if and when they meet the following definition or specification for a new breed as proposed by the industry and no deception is practiced in relation to such designation or description.

New breed. A group of birds which are of similar size, shape, and skin color and differ from existing breeds in these characters or in the combination of these characters, and the varieties within the breed have similar plumage color and pattern, comb type, and other distinguishing physical characteristics, all of the characteristics of the breed and variety being demonstrated as having been reproduced with a high degree of uniformity.

[Rule 11]

§ 36.12 Deception as to transportation or c.o.d. charges.

(a) It is an unfair trade practice to sell or offer to sell chicks, through advertising or otherwise, in such manner as to have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers into the belief that the prices quoted for such chicks are the prepaid or delivered prices when such is not the fact.

(b) It is an unfair trade practice, by failing correctly to inform customers, or by other deception, to cause purchasers to believe that transportation costs will not be charged against them in c.o.d. charges or otherwise, when such is not true in fact. [Rule 12]

§ 36.13 Misrepresenting offer as "special," etc.²

It is an unfair trade practice to represent an offer as "special" with reference to price, terms, or otherwise, when it is in fact a regular offer; or otherwise to use the term "special" or any term or word of similar import, as descriptive of any offer, in a manner, or under conditions, having the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers as to the true nature of the offer. [Rule 13]

§ 36.14 Deceptive testimonials.

In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member to use or cause to be used, any testimonial which is false or misleading in any material respect. Among the kinds of testimonials prohibited by this section are the following:

(a) Testimonials containing inaccurate statements as to results obtained from industry products of any certain kind or type; or

(b) Testimonials regarding results obtained from industry products purchased from a certain seller or sellers which, by reason of inaccurate statements therein contained, or absence of disclosure of relevant facts, have the capacity and tendency or effect of deceiving purchasers or prospective purchasers of industry products. [Rule 14]

§ 36.15 Defamation of competitors or false disparagement of their products.

The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the products of competitors in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 15]

§ 36.16 False or misleading price quotations, etc.

It is an unfair trade practice for any member of the industry to publish or circulate price quotations, price lists, or terms or conditions of sale or purchase, which directly, or by reason of concealment of any material limitations, have the capacity and tendency or effect of deceiving purchasers or prospective purchasers. [Rule 16]

² The Commission on October 2, 1958, adopted "Guides Against Deceptive Pricing," copies of which will be mailed to industry members upon request. Such Guides supply specific guidance respecting pricing representations and are to be considered as supplementing this section.

§ 36.17 Deception by means of "bogus independents," "chick outlets," etc.

It is an unfair trade practice for any member of the industry:

(a) To represent, directly or by implication, that a certain chick outlet is independent of, or in competition with, said member, when such is not the fact; or

(b) To fail to disclose that any such outlet is not independent of, or not in competition with, said member, under circumstances where the failure to make such disclosure has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers. [Rule 17]

§ 36.18 Misuse of words "hatchery," "chickery," "chick nursery," "farm," "poultry farm," "breeding farm," and related representations.

In the sale, offering for sale, or distribution of chicks, it is an unfair trade practice for any member of the industry, by trade or corporate name, through advertising or otherwise:

(a) To hold himself out as owning or operating a hatchery, chickery, chick nursery, poultry farm, poultry breeding business, or as being the producer of chicks, or as operating incubators or producing chicks under claimed or specified conditions, when such is not the fact; or

(b) To use the terms "hatchery," "farm," "poultry farm," "breeding farm," or similar representations, in such manner as to have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers into the belief that the chicks have been produced in a hatchery or on a farm, poultry farm, or breeding farm, of said industry member, when such is not the fact.

NOTE: Nothing in this section, however, shall be construed as prohibiting an industry member, who actually owns and operates a farm primarily devoted to the production of chicks, from selling, offering for sale, or distributing, under a trade, corporate, or other name containing the word "farm," chicks produced from flocks of cooperating farms along with chicks produced on such member's own farm, if and when the industry member has and exercises direct supervision and control over all operations and conditions material to the quality, health, and vigor of all said chicks, including selection of the breeding stock of which such chicks are the progeny, and all breeding and disease-control practices.

[Rule 18]

§ 36.19 Guarantees, warranties, etc.

(a) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member:

(1) To represent that any industry product is guaranteed unless, in close conjunction with such representation, the identity of the guarantor, the extent and nature of the guarantee, and any material conditions or limitations relating to the liability of the guarantor under the guarantee, are adequately and nondeceptively disclosed; or

(2) To offer or use any guarantee respecting an industry product under which the guarantor fails to observe his obligations; or

(3) To offer or use any guarantee which is otherwise deceptive or unfair.

(b) This section shall be applicable not only to guarantees but also to warranties, to purported guarantees and warranties, and to any promise or representation in the nature of a guarantee or warranty.

NOTE: The Commission on April 26, 1960, adopted "Guides Against Deceptive Advertising of Guarantees," copies of which will be mailed to industry members upon request. Such Guides supply specific guidance respecting guarantee representations and are to be considered as supplementing this section.

[Rule 19]

§ 36.20 Fictitious prices.³

It is an unfair trade practice to sell or offer for sale industry products at prices purported to be reduced from what are in fact fictitious prices, or to sell or offer for sale such products at a purported reduction in price when such purported reduction is in fact fictitious or is otherwise misleading or deceptive. [Rule 20]

§ 36.21 Substitution of products.

(a) It is an unfair trade practice to advertise, describe, or otherwise represent, directly or by implication, any industry product as being of a certain stock, grade, sex, trade name, or quality, and, upon receipt of orders for it, filling the same with any other industry product of a different stock, grade, sex, trade name, or quality, without first obtaining the consent of the purchaser to such substitution.

(b) It is also an unfair trade practice, upon receiving orders for industry products of a certain stock, grade, sex, trade name, or quality, to fill such orders with a different stock, grade, sex, trade name, or quality, without first obtaining the consent of the purchasers to such substitution. [Rule 21]

§ 36.22 Use of the word "free."

In connection with the sale, offering for sale, or distribution of industry products, it is an unfair trade practice to use the word "free," or any other word or words of similar import, in advertisements or in other offers to purchasers or prospective purchasers, as descriptive of any product or service, which is not an unconditional gift, under the following circumstances:

(a) When all the conditions, obligations, or other prerequisites to the receipt and retention of the "free" product or service offered are not clearly and conspicuously set forth at the outset so as to leave no reasonable probability that the terms of the offer will be misunderstood; and, regardless of such disclosure:

(b) When, with respect to any product required to be purchased in order to obtain the "free" product or service,

the offeror (1) increases the ordinary and usual price of such industry product, or (2) reduces its quality, or (3) reduces the quantity or size thereof.

NOTE: The disclosure required by paragraph (a) of this section shall appear in close conjunction with the word "free" (or other word or words of similar import) wherever such word first appears in each advertisement or offer. A disclosure in the form of a footnote, to which reference is made by use of an asterisk or other symbol placed next to the word "free," will not be regarded as compliance.

[Rule 22]

§ 36.23 Prohibited sales below cost.

(a) The practice of selling industry products at a price less than the cost thereof to the seller, with the purpose or intent, and where the effect is, or where there is a reasonable probability that the effect will be, to substantially injure, suppress, or stifle competition or tend to create a monopoly, is an unfair trade practice.

(b) This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued with the wrongful intent or purpose referred to and where the effect is, or where there is reasonable probability that the effect will be, to substantially injure, suppress, or stifle competition or to create a monopoly. Among the situations in which the requisite purpose or intent would ordinarily be lacking are cases in which such sales were: (1) Of seasonal goods near the conclusion of the season; (2) of perishable goods in respect to which deterioration is imminent; (3) of obsolescent goods; (4) made under judicial process; or (5) made in bona fide discontinuance of business in the goods concerned.

(c) As used in paragraphs (a) and (b) of this section, the term "cost" means the respective seller's cost and not an average cost in the industry whether such average cost be determined by an industry cost survey or some other method. It consists of the total outlay or expenditure by the seller in the acquisition, production, and distribution of the products involved, and comprises all elements of cost such as labor, material, depreciation, taxes (except taxes on net income and such other taxes as are not properly applicable to cost), and general overhead expenses, incurred by the seller in the acquisition, manufacture, processing, preparation for marketing, sale, and delivery of the products. Not to be included are dividends or interest on borrowed or invested capital, or nonoperating losses, such as fire losses and losses from the sale or exchange of capital assets. Operating cost should not be reduced by items of nonoperating income, such as income from investments, and gain on the sale of capital assets.

(d) Nothing in this section shall be construed as relieving an industry member from compliance with any of the requirements of the Robinson-Patman Act. [Rule 23]

³ See footnote to § 36.13.

§ 36.24 Prohibited forms of trade restraints (unlawful price fixing, etc.).⁴

It is an unfair trade practice for any member of the industry, either directly or indirectly, to engage in any planned common course of action, or to enter into or take part in any understanding, agreement, combination, or conspiracy, with one or more members of the industry, or with any other person or persons, to fix or maintain the price of any products or otherwise unlawfully to restrain trade; or to use any form of threat, intimidation, or coercion, to induce any member of the industry or other person or persons to engage in any such planned common course of action, or to become a party to any such understanding, agreement, combination, or conspiracy. [Rule 24]

§ 36.25 Tie-in sales; coercing purchase of one product as a prerequisite to the purchase of other products.

The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be substantially to lessen competition or tend to create a monopoly or unreasonably to restrain trade, is an unfair trade practice. [Rule 25]

§ 36.26 Prohibited discrimination.⁵

(a) *Prohibited discriminatory prices, rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form

⁴The inhibitions of this section are subject to Public Law 542, approved July 14, 1952—66 Stat. 632 (the McGuire Act) which provides that with respect to a commodity which bears, or the label or container of which bears, the trade-mark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, a seller of such a commodity may enter into a contract or agreement with a buyer thereof which establishes a minimum or stipulated price at which such commodity may be resold by such buyer when such contract or agreement is lawful as applied to intrastate transactions under the laws of the State, Territory, or territorial jurisdiction in which the resale is to be made or to which the commodity is to be transported for such resale, and when such contract or agreement is not between manufacturers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other.

⁵As used in this section, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any such possession, or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce, and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and are not purchased by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use;

(2) That nothing contained in this paragraph shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such products are to such purchasers sold or delivered.

NOTE: Cost justification to be based on net savings in cost of manufacture, sale or delivery. Cost justification under subparagraph (2) of this paragraph depends upon net savings in cost based on all facts relevant to the transactions under the terms of subparagraph (2) of this paragraph. For example, if a seller regularly grants a discount based upon the purchase of a specified quantity by a single order for a single delivery, and this discount is justified by cost differences, it does not follow that the same discount can be cost justified if granted to a purchaser of the same quantity by multiple orders or for multiple deliveries.

(3) That nothing contained in this section shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing contained in this paragraph shall prevent price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to, actual or imminent deterioration of perishable goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned;

(5) That nothing contained in this section shall prevent the meeting in good faith of an equally low price of a competitor.

NOTE: Subsection (b) of Section 2 of the Clayton Act, as amended, reads as follows: "Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That nothing herein contained shall prevent a seller rebutting the

prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor."

(b) *Examples of prohibited price differential practices.* The following are examples of price differential practices to be considered as subject to the prohibitions of paragraph (a) of this section when involving goods of like grade and quality which are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and which are not purchased by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use, and when:

(1) The commerce requirements specified in paragraph (a) of this section are present; and

(2) The price differential has a reasonable probability of substantially lessening competition or tending to create a monopoly in any line of commerce, or of injuring, destroying, or preventing competition with the industry member or with the customer receiving the benefit of the price differential, or with customers of either of them; and

(3) The price differential is not justified by cost savings (see paragraph (a) (2) of this section); and

(4) The price differential is not made in response to changing conditions affecting the market for or the marketability of the goods concerned (see paragraph (a) (4) of this section); and

(5) The lower price was not made to meet in good faith an equally low price of a competitor (see paragraph (a) (5) of this section).

Example No. 1. The granting of a percentage discount on a purchase made by a customer which is not granted on purchases made by all other customers, or which is not granted in the same percentage on the purchases of all other customers.

Example No. 2. At the end of a given period an industry member grants a discount to a customer equivalent to a fixed percentage of the total of such customer's purchases during the period and fails to grant a discount of the same percentage to all other customers on their purchases during such period.

Example No. 3. An industry member sells goods to one or more of his customers at a higher price than he charges other customers for like products. It is immaterial whether or not such discrimination is attended by misrepresentation as to the grade and quality of the product sold.

Example No. 4. Terms of 2 percent, if payment is made by the 10th of the following month, are granted by an industry member to some customers on products purchased by them from the industry member. Another customer or customers are, nevertheless, allowed to take an additional discount when making payment to the industry member within the time prescribed.

NOTE: As previously indicated, the foregoing are examples of practices to be considered violative of the prohibitions of paragraph (a) of this section when involving goods of like grade and quality and when not subject to the other exemptions, exclusions, or defenses set forth in this paragraph.

(c) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in

commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(d) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(e) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

NOTE: See subsection (b) of section 2 of the Clayton Act, as amended, which is set forth in the note concluding paragraph (a) of this section.

(f) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any person engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of paragraphs (a) to (e) of this section. [Rule 26]

§ 36.27 Aiding or abetting use of unfair trade practices.

It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in this part. [Rule 27]

GROUP II

§ 36.101 Shipping chicks to fictitious consignees, etc.

The industry condemns the practice of disposing of chicks by shipping them

to fictitious consignees or without an order from, or consent of, the consignee, necessitating the sale of such undeliverable shipments at public auction by agents of the common carrier in order to secure payment for transportation costs. Such practice is deemed by the industry to be harmful to the chicks and to facilitate the spread of disease. [Rule A]

Issued: February 21, 1961.

By direction of the Commission.

[SEAL]

ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 61-1515; Filed, Feb. 21, 1961;
8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6548]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Expenditures

On December 21, 1960, a notice of proposed rule making prescribing Income Tax Regulations under section 180 (relating to expenditures by farmers for fertilizer, lime, etc.), and conforming changes to the Income Tax Regulations under sections 162 (relating to expenses of farmers), 175 (relating to soil and water conservation expenditures), and 263 (relating to capital expenditures) of the Internal Revenue Code of 1954 was published in the FEDERAL REGISTER (25 F.R. 13140). No objection to the rules proposed having been received during the 30-day period prescribed in the notice, the regulations as so published are hereby adopted.

[SEAL]

CHARLES I. FOX,
Acting Commissioner
of Internal Revenue.

Approved: February 16, 1961.

HENRY H. FOWLER,
Acting Secretary of the Treasury.

PARAGRAPH 1. The following regulations are hereby prescribed under section 180 of the Internal Revenue Code of 1954:

§ 1.180 Statutory provisions; expenditures by farmers for fertilizer, etc.

SEC. 180 *Expenditures by farmers for fertilizer, etc.*—(a) *In general.* A taxpayer engaged in the business of farming may elect to treat as expenses which are not chargeable to capital account expenditures (otherwise chargeable to capital account) which are paid or incurred by him during the taxable year for the purchase or acquisition of fertilizer, lime, ground limestone, marl, or other materials to enrich, neutralize, or condition land used in farming, or for the application of such materials to such land. The expenditures so treated shall be allowed as a deduction.

(b) *Land used in farming.* For purposes of subsection (a), the term "land used in farming" means land used (before or simultaneously with the expenditures described

in subsection (a)) by the taxpayer or his tenant for the production of crops, fruits, or other agricultural products or for the sustenance of livestock.

(c) *Election.* The election under subsection (a) for any taxable year shall be made within the time prescribed by law (including extensions thereof) for filing the return for such taxable year. Such election shall be made in such manner as the Secretary or his delegate may by regulations prescribe. Such election may not be revoked except with the consent of the Secretary or his delegate.

[Sec. 180 as added by sec. 6, Act of Sept. 14, 1960 (Pub. Law 86-779, 74 Stat. 1001)]

§ 1.180-1 Expenditures by farmers for fertilizer, etc.

(a) *In general.* A taxpayer engaged in the business of farming may elect, for any taxable year beginning after December 31, 1959, to treat as deductible expenses those expenditures otherwise chargeable to capital account which are paid or incurred by him during the taxable year for the purchase or acquisition of fertilizer, lime, ground limestone, marl, or other materials to enrich, neutralize, or condition land used in farming, and those expenditures otherwise chargeable to capital account paid or incurred for the application of such items and materials to such land. No election is required to be made for those expenditures which are not capital in nature. Section 180, § 1.180-2, and this section are not applicable to those expenses which are deductible under section 162 and the regulations thereunder or which are subject to the method described in section 175 and the regulations thereunder.

(b) *Land used in farming.* For purposes of section 180(a) and of paragraph (a) of this section, the term "land used in farming" means land used (before or simultaneously with the expenditures described in such section and such paragraph) by the taxpayer or his tenant for the production of crops, fruits, or other agricultural products or for the sustenance of livestock. See section 180(b). Expenditures for the initial preparation of land never previously used for farming purposes by the taxpayer or his tenant (although chargeable to capital account) are not subject to the election. The principles stated in §§ 1.175-3 and 1.175-4 are equally applicable under this section in determining whether the taxpayer is engaged in the business of farming and whether the land is used in farming.

§ 1.180-2 Time and manner of making election and revocation.

(a) *Election.* The claiming of a deduction on the taxpayer's return for an amount to which section 180 applies for amounts (otherwise chargeable to capital account) expended for fertilizer, lime, etc., shall constitute an election under section 180 and paragraph (a) of § 1.180-1. Such election shall be effective only for the taxable year for which the deduction is claimed.

(b) *Revocation.* Once the election is made for any taxable year such election may not be revoked without the consent of the district director for the district in which the taxpayer's return is required

to be filed. Such requests for consent shall be in writing and signed by the taxpayer or his authorized representative and shall set forth—

- (1) The name and address of the taxpayer;
- (2) The taxable year to which the revocation of the election is to apply;
- (3) The amount of expenditures paid or incurred during the taxable year, or portions thereof (where applicable), previously taken as a deduction on the return in respect of which the revocation of the election is to be applicable; and
- (4) The reasons for the request to revoke the election.

PAR. 2. Section 1.162-12 is amended to read as follows:

§ 1.162-12 Expenses of farmers.

A farmer who operates a farm for profit is entitled to deduct from gross income as necessary expenses all amounts actually expended in the carrying on of the business of farming. The cost of ordinary tools of short life or small cost, such as hand tools, including shovels, rakes, etc., may be deducted. The purchase of feed and other costs connected with raising livestock may be treated as expense deductions insofar as such costs represent actual outlay, but not including the value of farm produce grown upon the farm or the labor of the taxpayer. Where a farmer is engaged in producing crops which take more than a year from the time of planting to the process of gathering and disposal, expenses deducted may, with the consent of the Commissioner (see section 446 and the regulations thereunder), be determined upon the crop method, and such deductions must be taken in the taxable year in which the gross income from the crop has been realized. If a farmer does not compute income upon the crop method, the cost of seeds and young plants which are purchased for further development and cultivation prior to sale in later years may be deducted as an expense for the year of purchase, provided the farmer follows a consistent practice of deducting such costs as an expense from year to year. The preceding sentence does not apply to the cost of seeds and young plants connected with the planting of timber. See section 611 and the regulations thereunder. The cost of farm machinery, equipment, and farm buildings represents a capital investment and is not an allowable deduction as an item of expense. Amounts expended in the development of farms, orchards, and ranches prior to the time when the productive state is reached may be regarded as investments of capital. For the treatment of soil and water conservation expenditures as expenses which are not chargeable to capital account, see section 175 and the regulations thereunder. For taxable years beginning after December 31, 1959, in the case of expenditures paid or incurred by farmers for fertilizer, lime, etc., see section 180 and the regulations thereunder. Amounts expended in purchasing work, breeding, or dairy animals are regarded as investments of capital, and shall be depreciated unless such animals are included in an inventory in accordance with § 1.61-4.

The purchase price of an automobile, even when wholly used in carrying on farming operations, is not deductible, but is regarded as an investment of capital. The cost of gasoline, repairs, and upkeep of an automobile if used wholly in the business of farming is deductible as an expense; if used partly for business purposes and partly for the pleasure or convenience of the taxpayer or his family, such cost may be apportioned according to the extent of the use for purposes of business and pleasure or convenience, and only the proportion of such cost justly attributable to business purposes is deductible as a necessary expense. If a farm is operated for recreation or pleasure and not on a commercial basis, and if the expenses incurred in connection with the farm are in excess of the receipts therefrom, the entire receipts from the sale of farm products may be ignored in rendering a return of income, and the expenses incurred, being regarded as personal expenses, will not constitute allowable deductions. (See § 1.61-4, and paragraph (b) of § 1.167(a)-6, and sections 165 and 270 and the regulations thereunder.)

PAR. 3. Paragraphs (b) (1) and (2) of § 1.175-2 are amended to read as follows:

§ 1.175-2 Definition of soil and water conservation expenditures.

(b) *Expenditures not subject to section 175 treatment.* (1) The method described in section 175 applies only to expenditures for nondepreciable items. Accordingly, a taxpayer may not deduct expenditures for the purchase, construction, installation, or improvement of structures, appliances, or facilities subject to the allowance for depreciation. Thus, the method does not apply to depreciable nonearthen items such as those made of masonry or concrete (see section 167). For example, expenditures in respect of depreciable property include those for materials, supplies, wages, fuel, hauling, and dirt moving for making structures such as tanks, reservoirs, pipes, conduits, canals, dams, wells, or pumps composed of masonry, concrete, tile, metal, or wood. However, the method applies to expenditures for earthen items which are not subject to a depreciation allowance. For example, expenditures for earthen terraces and dams which are nondepreciable are deductible under section 175. For taxable years beginning after December 31, 1959, in the case of expenditures paid or incurred by farmers for fertilizer, lime, etc., for purposes other than soil or water conservation, see section 180 and the regulations thereunder.

(2) The method does not apply to expenses deductible apart from section 175. Adoption of the method is not necessary in order to deduct such expenses in full without limitation. Thus, the method does not apply to interest (deductible under section 163), nor to taxes (deductible under section 164). It does not apply to expenses for the repair of completed soil or water conservation structures, such as costs of annual removal of sediment from a drainage ditch. It does not apply to expenditures paid or in-

curred primarily to produce an agricultural crop even though they incidentally conserve soil. Thus, the cost of fertilizing (the effectiveness of which does not last beyond one year) used to produce hay is deductible without adoption of the method prescribed in section 175. For taxable years beginning after December 31, 1959, in the case of expenditures paid or incurred by farmers for fertilizer, lime, etc., for purposes other than soil or water conservation, see section 180 and the regulations thereunder. However, the method would apply to expenses incurred to produce vegetation primarily to conserve soil or water or to prevent erosion. Thus, for example, the method would apply to such expenditures as the cost of dirt moving, lime, fertilizer, seed and planting stock used in gully stabilization, or in stabilizing severely eroded areas, in order to obtain a soil binding stand of vegetation on raw or infertile land.

PAR. 4. In § 1.263(a), section 263(a) (1) is amended by revising subparagraphs (B) and (C), adding subparagraph (D), and adding a historical note to the section. As amended § 1.263(a) reads as follows:

§ 1.263(a) Statutory provisions; capital expenditures; general rule.

SEC. 263 *Capital expenditures*—(a) *General rule.* No deduction shall be allowed for—

(1) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate. This paragraph shall not apply to—

(A) Expenditures for the development of mines or deposits deductible under section 616,

(B) Research and experimental expenditures deductible under section 174,

(C) Soil and water conservation expenditures deductible under section 175, or

(D) Expenditures by farmers for fertilizer, etc., deductible under section 180.

[Sec. 263 as amended by sec. 6, Act of Sept. 14, 1960 (Pub. Law 86-779, 74 Stat. 1001)]

PAR. 5. Paragraph (c) of § 1.263(a)-1 is amended by revising subparagraphs (2) and (3) and by adding a subparagraph (4). These added and revised provisions read as follows:

§ 1.263(a)-1 Capital expenditures; in general.

(c) The provisions of paragraph (a) (1) of this section shall not apply to expenditures deductible under—

(2) Section 174 and §§ 1.174-1 through 1.174-4, relating to research and experimentation,

(3) Section 175 and §§ 1.175-1 through 1.175-6, relating to soil and water conservation, and

(4) Section 180 and §§ 1.180-1 and 1.180-2, relating to expenditures by farmers for fertilizer, lime, etc.

PAR. 6. Paragraph (b) of section 1.263(a)-3 is amended by redesignating subparagraphs (5) through (8) as (6) through (9) and by adding a subparagraph (5). These added and redesignated provisions read as follows:

§ 1.263(a)-3 Election to deduct or capitalize certain expenditures.

(b) The sections referred to in paragraph (a) of this section include:

- (5) Section 180 (expenditures by farmers for fertilizer, lime, etc.).
- (6) Section 248 (organizational expenditures of a corporation).
- (7) Section 266 (carrying charges).
- (8) Section 615 (exploration expenditures).
- (9) Section 616 (development expenditures).

(Secs. 7805, 180(c), Internal Revenue Code of 1954; 68A Stat. 917, 26 U.S.C. 7805; 74 Stat. 1001, 26 U.S.C. 180)

[F.R. Doc. 61-1564; Filed, Feb. 21, 1961; 8:48 a.m.]

SUBCHAPTER E—ALCOHOL, TOBACCO, AND OTHER EXCISE TAXES

[T.D. 6550]

PART 170—MISCELLANEOUS REGULATIONS RELATING TO LIQUORS

Redemption of Stamps in Puerto Rico

On December 10, 1960, a notice of proposed rule making with respect to the amendment of 26 CFR Part 170 was published in the *FEDERAL REGISTER* (25 F.R. 12710). No objections to the rules proposed having been received within the 30-day period prescribed in the notice, the regulations as so published are hereby adopted.

This Treasury decision shall be effective on the first day of the first month which begins not less than 30 days after date of publication in the *FEDERAL REGISTER*.

[SEAL] DANA LATHAM,
Commissioner of Internal Revenue.

Approved: February 16, 1961.

HENRY H. FOWLER,
Acting Secretary of the Treasury.

The purpose of this Treasury decision is to provide regulations for the redemption, in Puerto Rico, of certain stamps which, by reason of the amendment of 26 CFR Part 250, are no longer required. In order to accomplish this, the regulations in 26 CFR Part 170 are amended by adding, immediately following § 170.618, a new Subpart V, as follows:

Subpart V—Redemption of Stamps in Puerto Rico

Preamble. The regulations in this part shall not affect any act done or any liability or right accruing or accrued, or any suit or proceeding had or commenced before the effective date of the regulations in this subpart.

Sec.

- 170.631 Scope of subpart.
- 170.632 Meaning of terms.

REDEMPTION OF STAMPS IN PUERTO RICO

- 170.633 Stamps eligible for redemption.
- 170.634 Claim, Form 843.
- 170.635 Time for filing claim.
- 170.636 Authorized claimant.

AUTHORITY: §§ 170.631 to 170.636 issued under sec. 7805, I.R.C., 68A Stat. 917; 26

U.S.C. 7805. Provisions of section 6805 I.R.C., 68A Stat. 830, 26 U.S.C. 6805, interpreted.

§ 170.631 Scope of subpart.

The regulations in this subpart provide for the allowance or redemption, by refund of monies paid therefor, of unused special Puerto Rican rectification stamps and of unused rectification tax sheet stamps procured by bottlers in Puerto Rico.

§ 170.632 Meaning of terms.

When used in this subpart, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meaning ascribed in this section. Words in the plural shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine.

Chief, Collection Branch. The principal revenue officer in Puerto Rico charged with the duty of collecting internal revenue taxes, in Puerto Rico, under the jurisdiction of the Director of the Office of International Operations, Internal Revenue Service, Treasury Department, Washington, D.C.

I.R.C. The Internal Revenue Code of 1954, as amended.

Person. An individual, trust, estate, partnership, association, company, or corporation.

U.S.C. The United States Code.

REDEMPTION OF STAMPS IN PUERTO RICO

§ 170.633 Stamps eligible for redemption.

Subject to the provisions of section 6805, I.R.C., and of this subpart, unused Puerto Rican special rectification stamps, or unused rectification tax sheet stamps, may be redeemed if claim is filed within 3 years of the date of purchase of the stamps.

§ 170.634 Claim, Form 843.

Redemption of unused stamps under this subpart shall be allowed by the Chief, Collection Branch, pursuant to a claim on Form 843, for refund of the amount paid for unused stamps and shall be made only to the person or his legal representative, who purchased such stamps from the Government. The claim shall be filed with the Chief, Collection Branch. Separate claims shall be filed for each of the premises for which the stamps were procured. The stamps for which claim is made shall be attached to the Form 843, and the class, number, and denomination thereof shall be listed in the claim or in an attachment thereto. If the claim includes stamps which had been destroyed, evidence satisfactory to the Chief, Collection Branch, establishing such destruction must accompany the claim.

§ 170.635 Time for filing claim.

No claim for the redemption of stamps eligible for redemption under § 170.633 shall be allowed unless presented within 3 years after the purchase of such stamps from the Government.

§ 170.636 Authorized claimant.

Claims should be made in the name of the purchaser of the stamps, except that in the case where such person is

deceased the claim should be made in the name of the executor or administrator. Certified copies of the letters of administration or letters testamentary, or other similar evidence, should be attached to the claim to show that the claimant is the executor, etc. If the claim is signed by an attorney-in-fact for an individual, partnership, association, or corporation, or by one of the members of a partnership or association, or, in the case of a corporation, by an officer or other person, the authority for such signing must be evidenced by a duly authenticated copy of the power of attorney conferring authority upon the person signing the document to execute the same or, in the case of a corporation, by properly certified copies of extracts of the minutes of meetings of the board of directors authorizing certain officers or other persons to sign for the corporation: *Provided*, That such evidence of authority to sign need not be submitted with the claim where such document has previously been filed by the claimant with the Chief, Collection Branch. Powers of attorney shall be executed on Form 1534.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[F.R. Doc. 61-1566; Filed, Feb. 21, 1961; 8:48 a.m.]

[T.D. 6549]

PART 197—DRAWBACK ON DISTILLED SPIRITS USED IN MANUFACTURING NON BEVERAGE PRODUCTS

Miscellaneous Amendments

On December 2, 1960, a notice of proposed rule making with respect to amendments to 26 CFR Part 197 was published in the *FEDERAL REGISTER* (25 F.R. 12362). No objection to the rules proposed having been received within the 30-day period prescribed in the notice, the regulations as so published are hereby adopted.

This Treasury decision shall be effective on the first day of the first month which begins not less than 30 days after the date of publication in the *FEDERAL REGISTER*.

[SEAL] DANA LATHAM,
Commissioner of Internal Revenue.

Approved: February 16, 1961.

HENRY H. FOWLER,
Acting Secretary of the Treasury.

The purposes of this Treasury decision are (1) to delete strictly internal management instructions, (2) to amend provisions relating to special tax claims to conform to changes effected in the Internal Revenue Code by Public Law 85-859, (3) to prescribe a retention period for records and forms, (4) to correct certain obsolete forms references, (5) to conform certain provisions relating to stamps on distilled spirits containers to related changes in other regulations, and (6) to add a cross-reference to the provisions of Subpart U of 26 CFR Part 170 respecting the recovery of distilled spirits.

Pursuant to the above:

§§ 197.44, 197.45 [Deletion]

1. Sections 197.44 and 197.45 are deleted.

2. The undesignated center heading immediately following § 197.54 is revised to read: "Adjustment or Refund of Special Tax".

§ 197.55 [Amendment]

3. Section 197.55 is amended:

(A) By striking the second sentence and inserting in lieu thereof a new sentence which reads: "On payment of the special tax at the higher rate, the manufacturer may surrender the special tax stamp showing payment of \$25, to the district director to whom such tax was paid, with a claim on Form 843 for refund."; and

(B) By revising the citation of authority at the end of the section to read: "(68A Stat. 791; 26 U.S.C. 6402)".

§ 197.56 [Amendment]

4. Section 197.56 is amended:

(A) By striking, in the first sentence, the phrase, "for redemption of the stamp", and inserting in lieu thereof the phrase, "for refund"; and

(B) By revising the citation of authority at the end of the section to read: "(68A Stat. 791; 26 U.S.C. 6402)".

5. Section 197.57 is revised to read as follows:

§ 197.57 Absence of liability, refund of special tax.

The special tax paid may be refunded if it is established that the taxpayer did not file a claim for drawback for the period covered by the special tax stamp. Where claim for drawback was filed, the special tax may be refunded if it is established that no drawback was paid or allowed for the period covered by the stamp.

6. The undersigned center heading immediately following § 197.57 is deleted.

§ 197.58 [Amendment]

7. Section 197.58 is amended:

(A) By changing the section heading to read: "Filing of claims."; and

(B) By striking from the first sentence the phrase "for redemption of a special tax stamp", and inserting in lieu thereof the phrase "for refund of special tax"; and

(C) By revising the citation of authority at the end of the section to read: "(68A Stat. 791; U.S.C. 6402)".

8. Section 197.59 is revised to read as follows:

§ 197.59 Time limit for filing claim.

No claim for refund of special tax shall be allowed unless presented within three years next after the payment of the tax.

(68A Stat. 808; 26 U.S.C. 6511)

§ 197.66 [Amendment]

9. Section 197.66 is amended:

(A) By striking from the first sentence the last part thereof which begins "in Treasury Department Form 356," and inserting in lieu thereof "as set forth in the current revision of Treasury Department Circular 570." and

(B) By striking from the second sentence "Form 356" and inserting in lieu thereof "Circular 570".

§ 197.75 [Amendment]

10. Section 197.75 is amended by striking from the last sentence the words "Form 1490, or a notice of release, Form 1491" and inserting in lieu thereof the words "or release on Form 1490".

§ 197.79 [Amendment]

11. Section 197.79 is amended:

(A) By striking the first sentence and inserting in lieu thereof "Upon determination that the bond on Form 1730 may be terminated (a) where a superseding bond has been approved, (b) where the principal has discontinued filing monthly claims, or (c) where the surety has made application for release from bond as provided in § 197.76, the assistant regional commissioner will execute, on Form 1490, a notice of termination or release of bond." and

(B) By striking from the second sentence, immediately following the words "termination or", the words "the notice of".

§ 197.80 [Amendment]

12. Section 197.80 is amended by striking from the first sentence the words "Forms 1490 and 1491 of the termination of such bonds" and inserting in lieu thereof the words "Form 1490 of the termination or release of such bonds".

13. Section 197.112 is revised to read as follows:

§ 197.112 Distilled spirits received in tank cars or tank trucks.

Each claim covering distilled spirits received in tank cars or tank trucks will be accompanied by a statement showing in respect of each shipment received: The date of receipt; the name and address of the vendor; the number or other identification mark of the tank car or tank truck; the serial number of the distilled spirits stamp and the date it was affixed to the tank car or tank truck; the name of the producer; and the kind, quantity, and proof of the spirits. If the tank car or tank truck is received without the stamp affixed thereto, the vendee shall note such fact on the bill of lading, if any, or on Form 179, and immediately notify the assistant regional commissioner who will cause such inquiry to be made respecting the shipment and receipt of the conveyance as he may deem appropriate. (The distilled spirits stamp shall be completely destroyed when the distilled spirits have been removed from the tank car or tank truck.)

14. Section 197.113 is revised to read as follows:

§ 197.113 Distilled spirits received in barrels, drums, or other portable containers.

Each claim covering distilled spirits received in barrels, drums, or other portable containers bearing distilled spirits stamps shall be accompanied by a statement showing: The date of receipt; the name and address of the vendor; the kind and serial number of the stamp affixed to the container and the date the

stamp was issued or affixed as stated on the stamp; the serial number, if any, of the container; the name of the producer; and the kind, quantity, and proof of the spirits. (When the container is emptied, the stamp shall be completely destroyed.)

§ 197.117 [Amendment]

15. Section 197.117 is amended by adding immediately after the last sentence the following parenthetical sentence, "(For additional provisions respecting the recovery of distilled spirits and the records relating thereto, see Subpart U of 26 CFR Part 170.)"

§ 197.130 [Amendment]

16. Section 197.130 is amended by changing paragraph (c) to read:

(c) Kind of container (such as tank car, drum, case of bottles) and serial number thereof, and the kind and serial number of the stamp affixed to the container (serial numbers of strip stamps if spirits are in bottles).

§ 197.132 [Amendment]

17. Section 197.132 is amended by striking the last sentence thereof.

18. A new § 197.133, as follows, is added:

§ 197.133 Retention of records.

Each manufacturer shall retain for a period of not less than two years all records required by this part, all Forms 179 received by him evidencing tax determination of the spirits, and all bills of lading received by him in respect of shipment of the spirits. In addition, a copy of each approved formula returned to the manufacturer shall be retained by him for not less than two years from the date he files his last claim for drawback under such formula. Such records, forms, and formulas shall be readily available during the manufacturer's regular business hours for examination and taking abstracts therefrom by internal revenue officers.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[F.R. Doc. 61-1565; Filed, Feb. 21, 1961; 8:48 a.m.]

[T.D. 6551]

PART 250—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

Return System for Payment of Taxes in Puerto Rico

On December 7, 1960, a notice of proposed rule making with respect to the amendment of 26 CFR Part 250 was published in the FEDERAL REGISTER (25 F.R. 12511).

In accordance with the notice interested parties were afforded an opportunity to submit written comments or suggestions or to request a public hearing. No comments or suggestions or requests for a public hearing were received within the 30 days prescribed in the notice. However, it has been administratively determined to make certain changes which are clarifying and editorial in nature. Accordingly, the amend-

ments as published in the **FEDERAL REGISTER** are hereby adopted, subject to the following changes:

1. Section 250.11a is changed.
2. Section 250.76 is changed.
3. The amendment to § 250.146 is changed.

(C) By striking, where it appears twice in the last sentence, the word "treasurer" and inserting in lieu thereof the word "Secretary".

This Treasury decision shall be effective on the first day of the first month which begins not less than 30 days after date of publication in the **FEDERAL REGISTER**.

[SEAL] **DANA LATHAM,**
Commissioner of Internal Revenue.

D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: February 16, 1961.

HENRY H. FOWLER,
Acting Secretary of the Treasury.

In order to (1) establish a return system for the payment of internal revenue taxes in Puerto Rico on liquors and articles of Puerto Rican manufacture which are to be withdrawn from insular bond for shipment to the United States, and (2) conform to administrative organizational changes, the regulations in 26 CFR Part 250, "Liquors and Articles From Puerto Rico and the Virgin Islands," are amended as follows:

A new section, reading as follows, is inserted immediately following § 250.11.

§ 250.11a Delegate.

The term "Secretary, or his delegate," means the Secretary, or any officer or employee of the Department of the Treasury of Puerto Rico duly authorized by the Secretary to perform the function mentioned or described in this part.

§ 250.20 [Deletion]

Section 250.20 is deleted.

A new section, reading as follows, is inserted immediately following § 250.21.

§ 250.21a Officer-in-Charge.

"Officer-in-Charge" shall mean the principal revenue officer in Puerto Rico charged with the duty of collecting internal revenue taxes, in Puerto Rico, under the jurisdiction of the Director of the Office of International Operations, Internal Revenue Service, Treasury Department, Washington, D.C.

Three new sections, reading as follows, are inserted immediately following § 250.26.

§ 250.26a Revenue agent.

"Revenue agent" shall mean any duly authorized Commonwealth Internal Revenue Agent of the Department of the Treasury of Puerto Rico.

§ 250.26b Secretary.

"Secretary" shall mean the Secretary of the Treasury of Puerto Rico.

§ 250.26c Taxpaid.

"Taxpaid", as used in this part with respect to liquors or articles of Puerto Rican manufacture, shall include liquors or articles on which the tax was computed but with respect to which payment

was deferred under the provisions of Subpart E of this part.

§ 250.27 [Deletion]

Section 250.27 is deleted.

Section 250.30 is amended to read:

§ 250.30 United States Internal Revenue Service office.

"United States Internal Revenue Service office," as used in this part, shall mean the United States Internal Revenue Service office in Puerto Rico operating under the direction of the Director of the Office of International Operations, Internal Revenue Service, Treasury Department, Washington, D.C.

§ 250.33 [Amendment]

Section 250.33 is amended as follows:

(A) By striking, in the third sentence, the reference to "§ 250.77", and inserting in lieu thereof "§ 250.86".

(B) By striking the statutory citation at the end of the section and inserting in lieu thereof "(72 Stat. 1374; 26 U.S.C. 5301)".

Section 250.42 is amended to read:

§ 250.42 Destruction of stamps.

All stamps must remain on packages until the contents are emptied. When a package of distilled spirits is emptied, the internal revenue stamp thereon must be completely effaced and obliterated.

(68A Stat. 830, 72 Stat. 1358; 26 U.S.C. 6804, 5205)

§ 250.55 [Amendment]

Section 250.55 is amended by striking the word "treasurer" and inserting in lieu thereof the word "Secretary".

Subpart E is amended to read:

Subpart E—Taxpayment in Puerto Rico of Liquors Withdrawn Before Rectification or Bottling

BONDS

- | | |
|--------|--|
| Sec. | General. |
| 250.61 | Corporate surety. |
| 250.62 | Deposit of securities in lieu of corporate surety. |
| 250.63 | Consents of surety. |
| 250.64 | Authority to approve bonds and consents of surety. |
| 250.65 | Bond, Form 2896—Distilled spirits and rectification. |
| 250.66 | Bond, Form 2897—Wine. |
| 250.67 | Bond, Form 2898—Beer. |
| 250.68 | Strengthening bonds. |
| 250.69 | New or superseding bonds. |
| 250.70 | |

TERMINATION OF BONDS

- | | |
|--------|--|
| 250.71 | Termination of bonds. |
| 250.72 | Application of surety for relief from bond. |
| 250.73 | Relief of surety from bond. |
| 250.74 | Release of pledged securities. |
| 250.75 | Form 1490, Notice of Termination or Release of Bond. |

PERMITS REQUIRED

- | | |
|--------|------------------|
| 250.76 | Insular permits. |
|--------|------------------|

DISTILLED SPIRITS

- | | |
|--------|------------------------------------|
| 250.77 | Subject to tax. |
| 250.78 | Application and permit, Form 2899. |
| 250.79 | Computation and payment of tax. |
| 250.80 | Action by Officer-in-Charge. |
| 250.81 | Action by Secretary. |
| 250.82 | Release of spirits. |
| 250.83 | Bottling of distilled spirits. |
| 250.84 | Stamping bottles. |
| 250.85 | Rectification tax. |

PACKAGES OF DISTILLED SPIRITS

- | | |
|--------|---|
| Sec. | Authority for shipment. |
| 250.86 | Evidence of taxpayment. |
| 250.87 | Application for distilled spirits stamps. |
| 250.88 | Issuance of distilled spirits stamps. |
| 250.89 | Affixing stamps to packages. |
| 250.90 | Release of packages. |
| 250.91 | |

WINE

- | | |
|--------|---|
| 250.92 | Subject to tax. |
| 250.93 | Application and permit, Form 2900. |
| 250.94 | Computation and payment of tax. |
| 250.95 | Action by Officer-in-Charge and by the Secretary. |
| 250.96 | Release of wine. |
| 250.97 | Marking containers of wine. |

LIQUEURS, CORDIALS, OR SIMILAR COMPOUNDS CONTAINING WINE

- | | |
|---------|---------------------------|
| 250.98 | Insular permits required. |
| 250.99 | Taxpayment. |
| 250.100 | Permit to ship required. |

BEER

- | | |
|---------|---|
| 250.101 | Subject to tax. |
| 250.102 | Application and permit, Form 2900. |
| 250.103 | Computation and payment of tax. |
| 250.104 | Action by Officer-in-Charge and by the Secretary. |
| 250.105 | Release of beer. |
| 250.106 | Marking containers of beer. |

ARTICLES

- | | |
|---------|---|
| 250.107 | Taxable status. |
| 250.108 | Application for permit, Form 2899 and/or Form 2900. |
| 250.109 | Taxpayment. |
| 250.110 | Release of liquors. |

PAYMENT OF TAX BY RETURN

- | | |
|---------|---|
| 250.111 | General. |
| 250.112 | Taxes to be collected by returns for semimonthly periods. |
| 250.113 | Returns for prepayment of taxes. |

PERMIT TO SHIP LIQUORS AND ARTICLES

- | | |
|---------|--|
| 250.114 | Permit to ship required. |
| 250.115 | Application, Form 487B. |
| 250.116 | Issuance of permit, Form 487B, and customs inspection. |

PROCEDURE AT PORT OF ARRIVAL

- | | |
|---------|--|
| 250.117 | Action by carrier. |
| 250.118 | Inspection by collector of customs at port of arrival. |
| 250.119 | Disposition of forms by collector of customs. |

Subpart E—Taxpayment in Puerto Rico of Liquors Withdrawn Before Rectification or Bottling

BONDS

§ 250.61 General.

Every person filing a bond under this subpart, or a consent of surety on such bond, shall file it with the Officer-in-Charge.

§ 250.62 Corporate surety.

Surety bonds may be given only with corporate sureties holding certificates of authority from, and subject to the limitations prescribed by, the Secretary of the Treasury of the United States, as set forth in United States Treasury Department Circular 570. Powers of attorney and other evidence of appointment of agents and officers to execute bonds or to consent to changes in the terms of bonds on behalf of corporate sureties are required to be filed with, and passed on by, the Commissioner of Accounts, Surety Bonds Branch, United States

Treasury Department, Washington 25, D.C.

(61 Stat. 648; 6 U.S.C. 6, 7)

§ 250.63 Deposit of securities in lieu of corporate surety.

In lieu of corporate surety, the principal may pledge and deposit, as surety for his bond, securities which are transferable and are guaranteed as to both interest and principal by the United States, in accordance with the provisions of 31 CFR Part 225.

(61 Stat. 650; 6 U.S.C. 15)

§ 250.64 Consents of surety.

Consents of surety to changes in the terms of bonds shall be executed on Form 1533 by the principal and by the surety with the same formality and proof of authority as is required for the execution of bonds.

§ 250.65 Authority to approve bonds and consents of surety.

The Officer-in-Charge is authorized to approve all bonds and consents of surety filed under this part.

§ 250.66 Bond, Form 2896—Distilled spirits and rectification.

(a) *Withdrawal of distilled spirits from bonded storage in Puerto Rico.* Where the proprietor of a bonded warehouse or a bonded processing room intends to withdraw, for purpose of shipment to the United States, distilled spirits of Puerto Rican manufacture from bonded storage in Puerto Rico on computation, but before payment, of the tax imposed by section 7652(a), I.R.C., equal to the tax imposed in the United States by section 5001(a)(1), I.R.C., he shall, before making any such withdrawal, furnish a bond, Form 2896, to secure payment of such tax, at the time and in the manner prescribed in this subpart, on all distilled spirits so withdrawn. The bond shall be executed in a penal sum not less than the amount of unpaid tax which, at any one time, is chargeable against the bond: *Provided*, That the penal sum of such bond shall not exceed \$1,000,000, but in no case shall the penal sum be less than \$1,000.

(b) *Rectification in Puerto Rico.* Where the proprietor of a rectifying plant in Puerto Rico intends to ship rectified products to the United States and desires that the tax imposed by section 7652(a), I.R.C., equal to the tax imposed in the United States by section 5021 and/or section 5022, I.R.C., be computed at the time the bottling and casing is completed, but payment thereof be deferred, he shall furnish a bond, Form 2896, to secure payment of such tax, at the time and in the manner prescribed in this subpart, on all rectified spirits and wines so bottled and cased. The bond shall be executed in a penal sum not less than the amount of unpaid tax which, at any one time, is chargeable against the bond: *Provided*, That the penal sum of such bond shall not exceed \$100,000, but in no case shall the penal sum be less than \$1,000.

(c) *Blanket bond.* Any person who is the proprietor of more than one bonded warehouse, bonded processing room, or rectifying plant in Puerto Rico, may, in

lieu of furnishing two or more separate bonds on Form 2896, as required by paragraphs (a) and/or (b) of this section, furnish a blanket bond on Form 2896. The penal sum of such blanket bond shall be equal to the sum of the penal sums of all the bonds in lieu of which it is given. Such blanket bond on Form 2896 shall show each bonded warehouse and/or bonded processing room and/or rectifying plant to be covered by the bond, and the part of the total penal sum (computed in accordance with paragraphs (a) and/or (b) of this section) to be allocated to each of the designated premises. If the penal sum of the bond allocated to a designated premises is in an amount less than the maximum prescribed in paragraphs (a) and/or (b) of this section, transactions at such premises shall not exceed the quantity permissible, as reflected by the penal sum allocated in the bond to such premises. Such blanket bond shall contain the terms and conditions of the bonds in lieu of which it is given and shall be conditioned that the total amount of the bond shall be available for satisfaction of any liability incurred under the terms and conditions of such bond.

(68A Stat. 775, 847, 906, 907; 26 U.S.C. 6302(b), 7101, 7102, 7651(2)(B), 7652(a))

§ 250.67 Bond, Form 2897—Wine.

Where a proprietor intends to withdraw, for purpose of shipment to the United States, wine of Puerto Rican manufacture from bonded storage in Puerto Rico on computation, but before payment, of the tax imposed by section 7652(a), I.R.C., equal to the tax imposed in the United States by section 5041, I.R.C., he shall, before making any such withdrawal, furnish a bond, Form 2897, to secure payment of such tax, at the time and in the manner prescribed in this subpart, on all wine so withdrawn. The bond shall be executed in a penal sum not less than the amount of unpaid tax which, at any one time, is chargeable against the bond: *Provided*, That the penal sum of such bond shall not exceed \$250,000, but in no case shall the penal sum be less than \$500.

(68A Stat. 775, 847, 906, 907; 26 U.S.C. 6302(b), 7101, 7102, 7651(2)(B), 7652(a))

§ 250.68 Bond, Form 2898—Beer.

Where a brewer intends to withdraw, for purpose of shipment to the United States, beer of Puerto Rican manufacture from bonded storage in Puerto Rico on computation, but before payment, of the tax imposed by section 7652(a), I.R.C., equal to the tax imposed in the United States by section 5051, I.R.C., he shall, before making any such withdrawal, furnish a bond, Form 2898, to secure payment of such tax, at the time and in the manner prescribed in this subpart, on all beer so withdrawn. The bond shall be executed in a penal sum not less than the amount of unpaid tax which, at any one time, is chargeable against the bond: *Provided*, That the penal sum of such bond shall not exceed \$500,000, but in no case shall the penal sum be less than \$1,000.

(68A Stat. 775, 847, 906, 907; 26 U.S.C. 6302(b), 7101, 7102, 7651(2)(B), 7652(a))

§ 250.69 Strengthening bonds.

In all cases where the penal sum of any bond becomes insufficient, the principal shall either give a strengthening bond with the same surety to attain a sufficient penal sum, or give a new bond to cover the entire liability. Strengthening bonds will not be approved where any notation is made thereon which is intended, or which may be construed, as a release of any former bond, or as limiting the amount of any bond to less than its full penal sum. Strengthening bonds shall show the current date of execution and the effective date.

§ 250.70 New or superseding bonds.

New bonds shall be required in case of insolvency or removal of any surety, and may, at the discretion of the Officer-in-Charge, be required in any other contingency affecting the validity or impairing the efficiency of an existing bond. Executors, administrators, assignees, receivers, trustees, or other persons acting in a fiduciary capacity, continuing or liquidating the business of the principal, shall execute and file a new bond or obtain the consent of the surety or sureties on the existing bond or bonds. Where, under the provisions of § 250.72, the surety on any bond given under this subpart has filed an application to be relieved of liability under said bond and the principal desires or intends to continue the operations to which such bond relates, he shall file a valid superseding bond to be effective on or before the date specified in the surety's notice. New or superseding bonds shall show the current date of execution and the effective date.

TERMINATION OF BONDS

§ 250.71 Termination of bonds.

Any bond given under the provisions of this subpart may be terminated as to future transactions—

(a) Pursuant to application of surety as provided in § 250.72;

(b) On approval of a superseding bond;

(c) On notification by the principal to the Officer-in-Charge that he has discontinued transactions under the bond; or

(d) On notification by the principal to the Officer-in-Charge that he has discontinued business.

§ 250.72 Application of surety for relief from bond.

A surety on any bond given under the provisions of this subpart may at any time in writing notify the principal and the Officer-in-Charge that he desires, after a date named, to be relieved of liability under said bond. Such date shall be not less than 10 days after the date the notice is received by the Officer-in-Charge. The surety shall also file with the Officer-in-Charge an acknowledgment or other proof of service on the principal. If such notice is not thereafter in writing withdrawn, the rights of the principal as supported by said bond shall be terminated on the date named in the notice, and the surety shall be relieved from liability to the extent set forth in § 250.73.

§ 250.73 Relief of surety from bond.

Where the surety on a bond given under the provisions of this subpart has filed application for relief from liability, as provided in § 250.72, the surety shall be relieved from liability for transactions occurring wholly subsequent to the date specified in the notice, or the effective date of a new bond, if one is given.

§ 250.74 Release of pledged securities.

Securities of the United States pledged and deposited as provided in § 250.63, shall be released only in accordance with the provisions of 31 CFR Part 225. Such securities will not be released by the Officer-in-Charge until the liability under the bond for which they were pledged has been terminated. When the Officer-in-Charge is satisfied that they may be released, he shall fix the date or dates on which a part or all of such securities may be released. At any time prior to the release of such securities, the Officer-in-Charge may extend the date of release for such additional length of time as he deems necessary.

(61 Stat. 650; 6 U.S.C. 15)

§ 250.75 Form 1490, Notice of Termination or Release of Bond.

When the Officer-in-Charge is satisfied that any bond given under the provisions of this subpart may be terminated or released, he shall issue Form 1490, Notice of Termination or Release of Bond, and shall forward copies to the principal and to the surety. The Officer-in-Charge shall appropriately modify Form 1490 to show his title in lieu of that of the "Assistant Regional Commissioner, Alcohol and Tobacco Tax."

PERMITS REQUIRED**§ 250.76 Insular permits.**

Before liquors or articles of Puerto Rican manufacture may be shipped to the United States, an insular permit, Form 2899 (for distilled spirits) or Form 2900 (for wine or beer), to compute the taxes imposed by section 7652(a), I.R.C., and to withdraw the products from the bonded establishment where they may be deposited, must be obtained from the Secretary, and such products may not be shipped to the United States until a permit to ship, on Form 487B, is applied for and obtained from the Secretary.

DISTILLED SPIRITS**§ 250.77 Subject to tax.**

Distilled spirits of Puerto Rican manufacture, and any products containing such spirits, coming into the United States and withdrawn for consumption or sale are subject to a tax equal to the internal revenue tax imposed in the United States by sections 5001(a)(1), 5021, and 5022, I.R.C.

(68A Stat. 907; 26 U.S.C. 7652)

§ 250.78 Application and permit, Form 2899.

Application for permit to compute the tax on, and to withdraw, distilled spirits shall be made on Form 2899, in quadruplicate, by the proprietor of the bonded warehouse or bonded processing room. The applicant shall forward all copies of the form to the Secretary. If

the application is properly prepared and is otherwise in order, the Secretary, or his delegate, shall execute his permit, retain one copy for his files, and forward the original and remaining copies of the form to the revenue agent at the bonded warehouse or bonded processing room where the spirits are stored. The revenue agent shall gauge the spirits, make a report of his gauge on Form 2630, in quadruplicate, and deliver all copies of Forms 2899 and 2630 to the applicant.

§ 250.79 Computation and payment of tax.

(a) *Deferred payment.* Where the distilled spirits are to be withdrawn from bonded storage on computation of tax, payment of which is to be deferred under bond, Form 2896, given by the proprietor of such bonded storage, such proprietor shall compute the tax, enter the amount of such computed tax on all copies of Form 2899, and execute the agreement to pay the amount of tax which has been computed and entered. He shall also certify under the penalties of perjury that he is not in default of any payment of tax chargeable against his bond, and that his bond is in the maximum penal sum or that it is sufficient to cover the amount of tax on the distilled spirits described on the form in addition to all other amounts chargeable against his bond. The proprietor shall forward the original and two copies of Forms 2899 and 2630 to the Officer-in-Charge, and shall retain a copy of each form for his files. Where the penal sum of his bond is less than the maximum prescribed in § 250.66(a) or where the penal sum allocated to his premises under § 250.66(c) is less than the prescribed maximum, the proprietor shall maintain an account of his bond. He shall charge the bond with the amount of liability he accepts at the time he executes Form 2899, and shall credit the bond for the same amount at the time he files his return, Form 2901, and remittance to cover payment of the tax on the distilled spirits covered by such Form 2899.

(b) *Withdrawal after payment.* Where the distilled spirits are to be withdrawn from bonded storage after payment of the computed tax, the proprietor shall enter the amount of such computed tax on all copies of Form 2899, and execute the statement that such tax is being prepaid. He shall then prepare Form 2925, in quadruplicate, and send the original and two copies of Forms 2899, 2925, and 2630, together with his remittance in full for such tax, to the Officer-in-Charge, and retain a copy of each form for his files.

§ 250.80 Action by Officer-in-Charge.

(a) *Deferred payment.* On receipt of Forms 2899 and 2630, covering application to withdraw distilled spirits from bonded storage, on computation, but before payment, of the tax, the Officer-in-Charge shall, if the proprietor has on file a good and sufficient bond, Form 2896, execute his certificate of approval on all copies of Form 2899, and forward two copies of Forms 2899 and 2630 to the Secretary, retaining the originals of each form for his records. Where the Officer-in-Charge finds that the pro-

prietor does not have proper and sufficient coverage on bond, Form 2896, or where the Officer-in-Charge finds that the proprietor is in default of payment of any taxes previously charged to his bond, he shall, without approval, return all copies of Forms 2899 and 2630 to the proprietor, giving his reasons for withholding approval.

(b) *Prepayment.* On receipt of Forms 2899, 2925, and 2630, with remittance, covering prepayment of tax on distilled spirits to be withdrawn from bonded storage, the Officer-in-Charge shall execute his certificate of receipt on all copies of Form 2925, and his certificate of approval on all copies of Form 2899. He shall then forward two copies of Forms 2899, 2925, and 2630 to the Secretary and retain the originals of each form for his files.

§ 250.81 Action by the Secretary.

On receipt of Forms 2899 and 2630, and Form 2925 where required, from the Officer-in-Charge, the Secretary, or his delegate, shall authorize the release of the spirits on both copies of Form 2899, retain a copy of each form for his files, and forward a copy of each form to the proper revenue agent.

§ 250.82 Release of spirits.

On receipt of Form 2899 from the Secretary, authorizing the release of the distilled spirits, the revenue agent will release the spirits for bottling or withdrawal in accordance with procedures prescribed in this part for bottling and shipment. Distilled spirits released from bonded storage under this section may not be shipped to the United States until permit for such shipment has been obtained from the Secretary as provided in §§ 250.114 through 250.116.

§ 250.83 Bottling of distilled spirits.

On receipt of Form 2899 from the Secretary authorizing the release of distilled spirits for bottling, the revenue agent will so release the spirits. Spirits which are to be bottled without rectification may not be removed through the bonded processing room to the bottling house, but must be removed directly from the bonded warehouse to the bottling house. The bottling operations will be conducted under supervision of the revenue agent.

§ 250.84 Stamping bottles.

Every bottle of distilled spirits of Puerto Rican manufacture to be shipped to the United States must have affixed thereto a red strip stamp of proper size bearing the name of the distiller, rectifier, or bottler. Red strip stamps will be procured, overprinted, and used as provided in Subpart G of this part.

(72 Stat. 1358; 26 U.S.C. 5205)

§ 250.85 Rectification tax.

(a) *Computation.* When rectified spirits on which distilled spirits tax equal to the tax imposed in the United States by section 5001(a)(1), I.R.C., has been paid or deferred (as prescribed in § 250.79) have been bottled and cased, the rectifier shall prepare Form 2926, in quadruplicate. He shall compute on Form 2926 the rectification tax (equal to

the tax imposed in the United States by section 5021 and/or section 5022, I.R.C.) incurred on the spirits so rectified and bottled and cased. He shall then submit all copies of the form to the revenue agent who, after verifying the computation of the tax, will return all copies to the rectifier.

(b) *Deferred payment.* When payment of the rectification tax is to be deferred under bond, Form 2896, given by the rectifier, he shall execute, on Form 2926, the agreement to pay the amount of tax which has been computed and entered. He shall also certify under penalties of perjury that he is not in default of any payment of tax chargeable against his bond, and that his bond is in the maximum penal sum or that it is sufficient to cover the amount of the rectification tax entered on the form in addition to all other amounts chargeable against his bond. The rectifier shall forward the original and two copies of Form 2926 to the Officer-in-Charge and retain a copy for his files. The provisions of § 250.79(a) shall be applicable with respect to keeping an account of the bond.

(c) *Prepayment.* When the rectification tax is to be prepaid on completion of bottling and casing, the rectifier shall execute the statement on Form 2926 that such tax is being prepaid. He shall then prepare Form 2925, in quadruplicate, and send the original and two copies of Forms 2925 and 2926, together with his remittance in full for such tax, to the Officer-in-Charge and retain a copy of each form for his files.

(d) *Procedures applicable.* The applicable provisions of §§ 250.80 and 250.81 shall govern the processing of Forms 2925 and 2926 by the Officer-in-Charge and the Secretary.

PACKAGES OF DISTILLED SPIRITS

§ 250.86 Authority for shipment.

The laws of Puerto Rico provide that distilled spirits of Puerto Rican manufacture may be shipped or exported from Puerto Rico only in containers holding not more than one gallon, except that where any rectifier presents to the Secretary a sworn application, in duplicate, stating that he wishes to withdraw from business and to liquidate his stock of rum, the Secretary, or his delegate, may authorize the sale of such stock in barrels of forty gallons or more for shipment to the United States. Therefore, subject to the approval of such application by the Secretary, or his delegate, and pursuant to the provisions of this part, rum of Puerto Rican manufacture may be shipped to the United States in such bulk containers.

§ 250.87 Evidence of taxpayment.

Where, under the provisions of § 250.86, a rectifier has made application to the Secretary for authority to ship packages of Puerto Rican rum to the United States, he shall, at the same time, submit sworn evidence to the Secretary that the distilled spirits tax has been paid or will be paid, as provided in § 250.79, and that all rectification taxes incurred have been paid or will be paid in the same manner as provided in § 250.85 for rectified spirits

bottled and cased, or he shall submit application, Form 2899, for permit to pay such taxes, as provided in this subpart. When satisfied that the rectifier has complied with all provisions of this part relating to the payment of taxes on such distilled spirits, the Secretary, or his delegate, shall note his approval on both copies of the sworn application, and return one copy to the applicant. On receipt of the approved application, the rectifier shall submit application for permit to ship, Form 487B, as prescribed in §§ 250.114 through 250.116.

§ 250.88 Application for distilled spirits stamps.

On receipt of approved Form 487B from the Secretary, the rectifier shall make written request in triplicate to the Officer-in-Charge for issuance of distilled spirits stamps for the packages. Such requests shall show the name and address of the packer, the serial number of each package and the proof gallon contents thereof, the serial number of the Form 2901 and/or Form 2925 pursuant to which tax was paid, and shall identify the permit, Form 487B, pursuant to which the packages are to be shipped. The request and the permit, Form 487B, shall be submitted to the revenue agent who, if satisfied that the request has been correctly prepared and that the requirements of this subpart relating to the payment of taxes have been met, will note his approval on all copies of the request and return them and Form 487B to the proprietor. The proprietor shall forward all copies of the approved request and Form 487B to the Officer-in-Charge.

§ 250.89 Issuance of distilled spirits stamps.

On receipt of the approved request therefor, and permit Form 487B, the Officer-in-Charge shall issue the required number of distilled spirits stamps. He shall enter, on each stamp, the name of the proprietor removing the spirits, the serial number of the container for which the stamp is issued and, where rectification tax has been paid (as provided in this subpart), the words "Rectified Product." When the stamps have been issued, the issuing officer shall enter the serial numbers thereof, preceded by the symbols "DS" on each copy of the request; return Form 487B and one copy of the request, with the stamps, to the applicant; forward one copy of the request to the Secretary; and retain the original for his files.

§ 250.90 Affixing stamps to packages.

At the time the proprietor affixes the stamp to the package he shall enter on the stamp the date the stamp is affixed. The stamps shall be securely affixed by the proprietor, under supervision of a revenue agent, to the heads of the packages. The revenue agent shall then cancel the stamps by drawing or otherwise imprinting a line (not less than one-eighth inch wide) in durable red ink diagonally across the stamp. When the stamps have been affixed and canceled, the proprietor shall immediately cover them with a transparent coat of shellac, lacquer, varnish, or other equally suitable

material, to protect the markings on the stamps.

§ 250.91 Release of packages.

On stamping of packages of spirits authorized for shipment to the United States as provided in § 250.86, the revenue agent shall release the packages for shipment.

WINE

§ 250.92 Subject to tax.

Wine of Puerto Rican manufacture coming into the United States and withdrawn for consumption or sale is subject to a tax equal to the internal revenue tax imposed in the United States on wine by section 5041, I.R.C.

(68 Stat. 907; 26 U.S.C. 7652)

§ 250.93 Application and permit, Form 2900.

When wine of Puerto Rican manufacture is to be withdrawn for shipment to the United States, or for use in making any rectified product or article for shipment to the United States, application for permit to compute the tax on, and to withdraw, the wine shall be made on Form 2900, in quintuplicate, by the proprietor of the bonded premises where the wine is stored. If the withdrawal is to be made in casks, barrels, kegs, or similar containers, the applicant shall enter the name of the winemaker producing the wine, the serial numbers of the packages, the total number of wine gallons contained therein, and the taxable grade of the wine, i.e., "not more than 14%" if the wine contains not more than 14 percent of alcohol by volume, "14-21%" if the wine contains more than 14 percent and not exceeding 21 percent of alcohol by volume, "21-24%" if the wine contains more than 21 percent but not exceeding 24 percent of alcohol by volume. On wines containing more than 24 percent of alcohol by volume, the true percentage of alcohol by volume shall be stated. If the application covers more than one taxable grade of wine, the quantity in each taxable grade shall be reported separately. If the withdrawal is to consist of bottled wine, the applicant shall show the number of cases, size of the bottles, the number of bottles per case, the total quantity in wine gallons, and the taxable grade of the wine in the manner stated above. The applicant shall forward all copies of the form to the Secretary. If the application is properly prepared and is otherwise in order, the Secretary, or his delegate, shall execute his permit, retain one copy for his files, and return the original and three copies to the applicant.

§ 250.94 Computation and payment of tax.

(a) *Deferred payment.* When wine is to be withdrawn from bonded storage on computation of tax, payment of which is to be deferred under bond, Form 2897, given by the proprietor of such bonded storage, such proprietor shall compute the tax, enter the amount of the computed tax on all copies of Form 2900, and execute the agreement to pay the amount of tax which has been computed and entered. He shall also certify under the penalties of perjury that he is not

in default of any payment of tax chargeable against his bond, and that his bond is in the maximum penal sum or that it is sufficient to cover the amount of tax described on the form in addition to all other amounts chargeable against his bond. The proprietor shall forward the original and two copies of Form 2900 to the Officer-in-Charge, and shall retain one copy for his files. Where the penal sum of his bond is less than the maximum prescribed in § 250.67, the proprietor shall maintain an account of his bond. He shall charge the bond with the amount of liability he accepts at the time he executes Form 2900, and shall credit the bond for the same amount at the time he files his return, Form 2927, and remittance to cover payment of the tax on the wine covered by such Form 2900.

(b) *Withdrawal after payment.* Where the wine is to be withdrawn from bonded storage after payment of the computed tax, the proprietor shall enter such computed tax on all copies of Form 2900, and execute the statement that such tax is being prepaid. He shall then prepare Form 2928, in quadruplicate, and send the original and two copies of Forms 2900 and 2928, together with his remittance in full for such tax, to the Officer-in-Charge, and retain a copy of each form for his files.

§ 250.95 Action by Officer-in-Charge and by the Secretary.

The procedures prescribed in §§ 250.80 and 250.81 with respect to the processing of Forms 2899 and 2925 by the Officer-in-Charge and by the Secretary, shall be applicable to the processing, by such persons, of Forms 2900 and 2928.

§ 250.96 Release of wine.

On receipt of Form 2900 from the Secretary authorizing the release of the wine, the revenue agent shall release the wine. Wine may not be shipped to the United States until a permit to ship, Form 487B, has been obtained as provided in §§ 250.114 through 250.116.

§ 250.97 Marking containers of wine.

Containers of wine of Puerto Rican manufacture which are to be shipped to the United States must be marked with the name of the winemaker, the serial number of the container, the kind and taxable grade of the wine, the gallon content, and the serial number of the withdrawal permit, Form 487B, prefixed by the number of such form, e.g. "487B-61-3."

LIQUEURS, CORDIALS, OR SIMILAR COMPOUNDS CONTAINING WINE

§ 250.98 Insular permits required.

(a) *Distilled spirits.* When distilled spirits of Puerto Rican manufacture are to be withdrawn for use in the manufacture of liqueurs, cordials, or similar compounds containing wine which are to be shipped to the United States, an insular permit, Form 2899, must first be obtained from the Secretary, in the manner prescribed in § 250.78.

(b) *Wine.* When wine of Puerto Rican manufacture is to be used in the manufacture of liqueurs, cordials, or similar

compounds which are to be shipped to the United States, an insular permit, Form 2900, must first be obtained from the Secretary, in the manner prescribed in § 250.93.

§ 250.99 Taxpayment.

(a) *Distilled spirits.* Gauge of distilled spirits withdrawn for use in the manufacture of liqueurs, cordials, or similar compounds containing wine shall be made and reported by the revenue agent in the manner prescribed in § 250.78, and the tax on such spirits, equal to the tax imposed in the United States by section 5001(a)(1), I.R.C., will be computed and paid in accordance with the provisions of § 250.79.

(b) *Wine.* The tax on the wine withdrawn for use in the manufacture of liqueurs, cordials, and similar compounds, equal to the tax imposed in the United States by section 5041, I.R.C., will be computed and paid in accordance with the provisions of § 250.94.

(c) *Finished product.* If the finished product is subject to rectification tax equal to that imposed in the United States by section 5021 or section 5022, I.R.C., such tax will be computed and paid in accordance with the applicable provisions of § 250.85. Containers of liqueurs, cordials, or similar compounds shall bear red strip stamps as provided in Subpart G of this part.

§ 250.100 Permit to ship required.

Before liqueurs, cordials, or similar compounds may be shipped from Puerto Rico to the United States, a permit to ship must be obtained as provided in §§ 250.114 through 250.116.

BEER

§ 250.101 Subject to tax.

Beer of Puerto Rican manufacture coming into the United States and withdrawn for consumption or sale is subject to a tax equal to the internal revenue tax imposed on beer in the United States by section 5051, I.R.C.

(68A Stat. 907; 26 U.S.C. 7652)

§ 250.102 Application and permit, Form 2900.

When beer of Puerto Rican manufacture is to be withdrawn for shipment to the United States, or for use in making an article for shipment to the United States, application for permit to compute the tax on, and to withdraw, the beer shall be made by the brewer on Form 2900, in quintuplicate. If the withdrawal is to be made in hogsheads, barrels, or kegs, the brewer shall enter the total number of each size, according to capacity, of containers which it is desired to withdraw. If the withdrawal is to be made in bottles, the brewer shall enter the number of cases, size of bottles, number of bottles per case, the total contents thereof in gallons (liquid measure), and the equivalent thereof in barrels and fractions of barrels of 31 gallons each. The brewer shall forward all copies of the form to the Secretary. If the application is properly prepared and is otherwise in order, the Secretary, or his delegate, shall execute his permit, retain one

copy for his files, and return the original and three copies to the brewer.

§ 250.103 Computation and payment of tax.

(a) *Deferred payment.* When beer is to be withdrawn from bonded storage on computation of tax, payment of which is to be deferred under bond, Form 2898, given by the brewer, such brewer shall compute the tax, enter the amount of the computed tax on all copies of Form 2900, and execute the agreement to pay the amount of tax which has been computed and entered. He shall also certify under the penalties of perjury that he is not in default of any payment of tax chargeable against his bond, and that his bond is in the maximum penal sum or that it is sufficient to cover the amount of tax described on the form in addition to all other amounts chargeable against his bond. The brewer shall forward the original and two copies of Form 2900 to the Officer-in-Charge, and shall retain one copy for his files. Where the penal sum of his bond is less than the maximum prescribed in § 250.68, the brewer shall maintain an account of his bond. He shall charge the bond with the amount of liability he accepts at the time he executes Form 2900, and shall credit the bond for the same amount at the time he files his return, Form 2929, and remittance to cover payment of the tax on the beer covered by such Form 2900.

(b) *Withdrawal after payment.* Where the beer is to be withdrawn from bonded storage after payment of the computed tax, the brewer shall enter such computed tax on all copies of Form 2900, and execute the statement that such tax is being prepaid. He shall then prepare Form 2930, in quadruplicate, and send the original and two copies of Forms 2900 and 2930, together with his remittance in full for such tax, to the Officer-in-Charge, and retain a copy of each form for his files.

§ 250.104 Action by Officer-in-Charge and by the Secretary.

The procedures prescribed in §§ 250.80 and 250.81 with respect to the processing of Forms 2899 and 2925 by the Officer-in-Charge and by the Secretary, shall be applicable to the processing, by such persons, of Forms 2900 and 2930.

§ 250.105 Release of beer.

On receipt of Form 2900 from the Secretary authorizing the release of the beer, the revenue agent shall release the beer. Beer may not be shipped to the United States until a permit to ship, Form 487B, has been obtained as provided in §§ 250.114 through 250.116.

§ 250.106 Marking containers of beer.

Containers of beer of Puerto Rican manufacture which are to be shipped to the United States must be marked with the name of the brewer; the serial number, capacity, and size of the container; the kind of beer; and the serial number of the withdrawal permit, Form 487B, prefixed by the number of such form, e.g. "487B-61-3."

ARTICLES

§ 250.107 Taxable status.

Articles of Puerto Rican manufacture which are to be shipped to the United States and which are not exempt from tax under the provisions of § 250.36 are subject, under section 7652(a), I.R.C., to a tax equal to the tax imposed by the internal revenue laws of the United States on the distilled spirits, wine, or beer contained therein. A formula and process covering the manufacture of each such product shall be filed by the manufacturer in accordance with Subpart D of this part.

§ 250.108 Application for permit, Form 2899 and/or Form 2900.

(a) *Distilled spirits.* Where distilled spirits of Puerto Rican manufacture are to be used in the manufacture of the articles to be shipped to the United States, the manufacturer shall make application on Form 2899, in accordance with the applicable provisions of § 250.78.

(b) *Wine and/or beer.* Where wine and/or beer of Puerto Rican manufacture is to be used in the manufacture of the articles to be shipped to the United States, the manufacturer shall make application on Form 2900, in accordance with the applicable provisions of §§ 250.93 and/or 250.102. Wine and beer may be included in the same application.

(c) *Approval of applications.* The Secretary, or his delegate, shall approve and dispose of the applications in the manner prescribed in §§ 250.78, 250.93, and/or 250.102, as the case may be.

§ 250.109 Taxpayment.

(a) *Distilled spirits.* The tax on distilled spirits used in the manufacture of the articles to be shipped to the United States, equal to the tax imposed in the United States by section 5001(a)(1), I.R.C., shall be computed and paid as prescribed in § 250.79.

(b) *Wine.* The tax on wine used in the manufacture of the articles to be shipped to the United States, equal to the tax imposed in the United States by section 5041, I.R.C., shall be computed and paid as prescribed in § 250.94.

(c) *Beer.* The tax on beer used in the manufacture of articles to be shipped to the United States, equal to the tax imposed in the United States by section 5051, I.R.C., shall be computed and paid as prescribed in § 250.103.

§ 250.110 Release of liquors.

On receipt of authorization from the Secretary, the revenue agent shall release the liquors. A permit must be obtained as provided in §§ 250.114 through 250.116 before the articles manufactured from such liquors may be shipped to the United States.

PAYMENT OF TAX BY RETURN

§ 250.111 General.

All taxes imposed by section 7652(a), I.R.C., and which, under the provisions of this part, are paid in Puerto Rico, shall be paid and collected on the basis of a semimonthly or prepayment return as provided in this subpart. Any tax which has been paid in accordance with

the provisions of this part in effect at the time of such payment, and before provision was made in the part for payment of such tax by return, shall be deemed to have been prepaid as prescribed in this part.

§ 250.112 Taxes to be collected by returns for semimonthly periods.

(a) *Distilled spirits.* The taxes imposed by section 7652(a), I.R.C. (equal to the taxes imposed in the United States by sections 5001(a)(1), 5021, and 5022, I.R.C.), the payment of which has been deferred under the provisions of §§ 250.79 (a) and 250.85 (b), shall be paid pursuant to a return on Form 2901 prepared in quadruplicate. The proprietor shall list on his return the serial numbers of all Forms 2899 and 2926 covered by the return.

(b) *Wine.* The taxes imposed by section 7652(a), I.R.C. (equal to the taxes imposed in the United States by section 5041, I.R.C.), the payment of which has been deferred under the provisions of § 250.94(a), shall be paid pursuant to a return on Form 2927 prepared in quadruplicate. The proprietor shall list on his return the serial numbers of all Forms 2900 covered by the return.

(c) *Beer.* The taxes imposed by section 7652(a), I.R.C. (equal to the taxes imposed in the United States by section 5051, I.R.C.), the payment of which has been deferred under the provisions of § 250.103(a), shall be paid pursuant to a return on Form 2929 prepared in quadruplicate. The brewer shall list on his return the serial numbers of all Forms 2900 covered by the return.

(d) *Periods.* The periods to be covered by returns on Forms 2901, 2927, and 2929, shall be semimonthly; such periods to run from the 1st day through the 15th day of each month and from the 16th day through the last day of each month.

(e) *Filing.* The original and two copies of returns on Forms 2901, 2927, and 2929, with remittance covering the full amount of the tax, shall be filed with the Officer-in-Charge not later than the 3d business day next succeeding the last day of the return period. Where the return and remittance are delivered by United States mail to the office of the Officer-in-Charge, the date of the official postmark of the United States Post Office stamped on the cover in which the return and remittance were mailed shall be deemed to be the date of delivery.

(f) *Default.* Where a taxpayer has defaulted in any payment of tax under this section, during the period of such default and until the Officer-in-Charge finds that the revenue will not be jeopardized by deferred payment of tax under this section, the tax shall be prepaid by such taxpayer in accordance with the provisions of § 250.113.

§ 250.113 Returns for prepayment of taxes.

(a) *General.* If a proprietor does not have on file with the Officer-in-Charge an approved bond covering the deferred payment of taxes, or if such bond is in an insufficient penal sum, or if there is default by him in any payment of tax under this subpart, liquors shall not be

released from bonded storage before the proprietor has paid the tax thereon.

(b) *Remittances.* Remittances submitted to cover prepayment of taxes under this subpart shall be in cash, United States postal money orders, certified checks, or cashier's checks.

(c) *Distilled spirits.* In all cases where taxes equal to the taxes imposed in the United States by sections 5001(a)(1), 5021, and 5022, I.R.C., are to be paid before distilled spirits may be withdrawn from bonded storage, the proprietor shall pay such taxes pursuant to a return on Form 2925, and as prescribed in § 250.79 (b) and/or § 250.85 (c).

(d) *Wine.* In all cases where taxes equal to the taxes imposed in the United States by section 5041, I.R.C., are to be paid before wine may be withdrawn from bonded storage, the proprietor shall pay such taxes pursuant to a return on Form 2928, and as prescribed in § 250.94 (b).

(e) *Beer.* In all cases where taxes equal to the taxes imposed in the United States by section 5051, I.R.C., are to be paid before beer may be withdrawn from bonded storage, the brewer shall pay such taxes pursuant to a return on Form 2930, and as prescribed in § 250.103 (b).

(f) *Applicable procedures.* The procedures of § 250.112 (e) with respect to returns delivered by United States mail shall apply to returns and remittances filed under the provisions of this section.

PERMIT TO SHIP LIQUORS AND ARTICLES

§ 250.114 Permit to ship required.

Before liquors and articles of Puerto Rican manufacture, upon which all internal revenue taxes have been paid or deferred as prescribed in this subpart, may be shipped to the United States, a permit to ship, Form 487B, must be obtained from the Secretary as provided in §§ 250.115 and 250.116.

§ 250.115 Application, Form 487B.

Application for permit to ship to the United States liquors and articles of Puerto Rican manufacture on which all taxes have been paid or deferred as prescribed in this subpart shall be made by the shipper on Form 487B, in sextuple. Each Form 487B will be given a serial number, by the applicant, beginning with "1" for the first day of January of each year and running consecutively thereafter to December 31, inclusive. This serial number will be prefixed by the last two digits of the calendar year, e.g., "61-1." All copies of the form shall be delivered to the revenue agent for execution of his certification thereon and forwarding of all copies to the Secretary within sufficient time to allow for the issuance of the permit and customs inspection as provided in § 250.116.

§ 250.116 Issuance of permit, Form 487B, and customs inspection.

If the application has been properly executed and the Secretary, or his delegate, finds that all internal revenue taxes imposed under section 7652(a), I.R.C., have been computed under the provisions of this part and have been paid or, pursuant to a sufficient bond, have been de-

ferred under the applicable provisions of this part, he will execute his permit on all copies thereof, retain one copy of the form, return two copies to the shipper, and send three copies to the collector of customs in Puerto Rico. The shipper will submit the two copies of the Form 487B to the collector at least six hours prior to the intended lading of the merchandise. The collector will then inspect the merchandise covered by the Form 487B after which he will execute his certificate on each copy of Form 487B indicating all exceptions. If discrepancies appear indicating differences between the quantity covered by Form 487B and the quantity actually contained in the shipment or the improper taxpayment of the merchandise, he will withhold release of the shipment and notify the Secretary of such discrepancies. Thereupon, such discrepancies must be corrected in the shipping documents and additional tax paid, if required, prior to release of the merchandise. The collector, upon release of the merchandise for shipment, will retain one copy of the Form 487B, return two copies to the shipper, and send two copies to the collector of customs at the port of arrival in the United States, one of which should be mailed and the other dispatched on the vessel concerned for the guidance of the inspector who will handle the cargo. After the shipment has been cleared by the collector of customs in Puerto Rico, the shipper shall retain one copy of the Form 487B and send one copy thereof, with other shipping documents, to the collector of customs at the port of arrival.

PROCEDURE AT PORT OF ARRIVAL

§ 250.117 Action by carrier.

The carrier of the merchandise specified on the Form 487B shall, at the time of unloading at the port of arrival in the United States, segregate and arrange the cases of liquors or articles for convenient customs examination and will assume any expense incurred in connection therewith.

§ 250.118 Inspection by collector of customs at port of arrival.

On receipt of properly executed Form 487B from the shipper and the copies of Form 487B from the collector of customs in Puerto Rico, the collector of customs at the port of arrival shall inspect the merchandise to determine whether the quantity specified on the Form 487B is contained in the shipment. He will then execute his certificate on each copy of Form 487B received and indicate thereon any exceptions found at the time of discharge. The statement of exceptions should show the serial number of each case or other shipping container which sustained a loss, the quantity of liquor reported shipped in such container and the quantity lost. Losses occurring as the result of missing bottles, cases, or other containers should be listed separately from empty containers and containers which have sustained losses due to breakage. Where the statement is made on the basis of bottles missing or lost due to other cause, the number and size of bottles lost should be shown. If the collector finds that

the full amount of the taxes due has not been paid, he will require the difference due to be paid prior to release of the merchandise in accordance with the applicable provisions of this part. When the proper inspection of the merchandise has been effected, and any additional taxes found to be due on the liquors or articles collected, the merchandise will be released.

§ 250.119 Disposition of forms by collector of customs.

Two copies of the Form 487B will be forwarded to the United States Internal Revenue Service office, and one copy of the form will be retained by the collector of customs and be available for inspection by internal revenue officers. If the taxpayer files a claim for refund of tax on losses, the Officer-in-Charge will forward to the assistant regional commissioner of the region in which the port of arrival is located a copy of the completed Form 487B with the claim for refund.

§§ 250.127, 250.142 [Amendments]

Sections 250.127 and 250.142 are amended by striking, wherever it appears, the phrase "insular internal revenue agent" and inserting in lieu thereof the words "revenue agent".

§§ 250.143, 250.144 [Amendments]

Sections 250.143 and 250.144 are amended as follows:

(A) By striking, wherever it appears, the phrase "insular internal revenue agent" and inserting in lieu thereof the words "revenue agent".

(B) By changing the statutory citations to read "(72 Stat. 1358; 26 U.S.C. 5205)".

§ 250.146 [Amendment]

Section 250.146 is amended as follows:

(A) By striking, in the first sentence, the phrase "Insular internal revenue agents" and inserting in lieu thereof the words "Revenue agents".

(B) By striking, in the fourth sentence, the words "insular internal".

(C) By striking, where it appears twice in the last sentence, the word "treasurer" and inserting in lieu thereof the word "Secretary".

Section 250.180 is amended to read:

§ 250.180 Applicable procedure.

Distilled spirits of less than 190 degrees of proof, wines, and beer of Puerto Rican manufacture (hereinafter referred to as "liquors" unless otherwise indicated) intended for shipment to the United States, which are withdrawn from producing or storage premises for entry into bonded rectification sections, bottling sections, or bonded warehouses, in accordance with the Spirits and Alcoholic Beverages Act, as amended, of Puerto Rico, shall be subject to the provisions of this subpart, and §§ 250.1 through 250.165, in so far as such sections may be applicable.

Section 250.182 is amended to read:

§ 250.182 Alcoholic constituents.

The alcoholic constituents of all liquors constituting a specific bottling lot shall be ascertained from records

maintained in accordance with insular requirements. The revenue agent will verify the accuracy of the amount of tax entered on Form 2899 and/or Form 2900, as the case may be. The formula number under which the liquors were produced or manufactured for shipment to the United States will also be shown on the Form 2899 and/or Form 2900.

Section 250.183 is amended to read:

§ 250.183 Basis for computing tax on distilled spirits.

The taxes on distilled spirits to be withdrawn under this subpart shall be computed on the basis of wine gallons, if below proof, or proof gallons, if 100 proof or above, in accordance with the proof ascertained by the revenue agent prior to entry of the spirits into the bonded rectification section, or bonded bottling section, pursuant to appropriate entries in records prescribed by the insular authorities.

(68A Stat. 907, 72 Stat. 1314; 26 U.S.C. 7652(a), 5001)

Section 250.184 is amended to read:

§ 250.184 Procedural requirements.

Taxes shall be computed and paid at the rate(s) prescribed by law. The provisions of Subpart E of this part relative to bonds shall be applicable to liquors withdrawn under this subpart and for which payment of tax is to be deferred. The provisions of Subpart E of this part relative to the procurement of permits on Form 2899 and/or Form 2900, computation and payment of tax, release of liquors, procurement of permit to ship to the United States, and release for shipment, action by carrier, inspection by customs, and disposition of forms shall be applicable to liquors on which the tax is computed and paid on withdrawal after rectification or bottling.

Section 250.186 is amended to read:

§ 250.186 Withdrawal for shipment to United States.

Withdrawal of liquors for shipment to the United States may be made only after all taxes have been paid or deferred as prescribed in this part.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[F.R. Doc. 61-1567; Filed, Feb. 21, 1961; 8:48 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER A—GENERAL [CGFR 61-2]

PART 1—GENERAL PROVISIONS

Subpart 1.25—Fees and Charges for Copying, Certifying, or Searching Records and for Duplicate Documents and Certificates

MISCELLANEOUS AMENDMENTS

By virtue of the authority described with the regulations below, the following

amendments in this document are prescribed and shall become effective 30 days after the date of publication of this document in the FEDERAL REGISTER:

1. Section 1.25-10 is amended to read as follows:

§ 1.25-10 Authority.

(a) The regulations in this subpart are issued pursuant to Title V of the Independent Offices Appropriation Act of 1952 (sec. 501, 65 Stat. 290, 5 U.S.C. 140). The act of June 25, 1936, as amended (secs. 3, 7, 49 Stat. 1934, 1936; 46 U.S.C. 643(h), 689) provides fees shall be charged for duplicate continuous discharge books, merchant mariner's documents, and certificates of discharge. The act of August 1, 1939, as amended (sec. 7, 53 Stat. 1147; 46 U.S.C. 247) authorizes regulations to be prescribed establishing the fees to be charged for duplicate certificates of registry as staff officers.

(b) The regulations in this subpart are also in accordance with the general policies and instructions of the Bureau of the Budget. (See Bureau of the Budget Circular No. A-25, dated September 23, 1959, on subject "User Charges.")

(Sec. 501, 65 Stat. 290; 5 U.S.C. 140)

2. Section 1.25-25(b) is amended to read as follows:

§ 1.25-25 Fees for services.

(b) The fee of \$2.25 shall be charged for the services necessary in searching Coast Guard records for the information desired when such information cannot be found.

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140)

3. Section 1.25-35 is amended to read as follows:

§ 1.25-35 Fees when work is not performed by the Coast Guard.

(a) If for any reason the Coast Guard is unable to furnish a copy of the records requested, the person submitting the request will be so informed. If permitted by law or regulation, the record will be made available to the requester for reading purposes during office hours and the Coast Guard may permit the copying or reproduction of the record or document by a private individual or concern authorized by the Coast Guard.

(b) When the copying or reproduction of a record or document by a private individual or concern is authorized, the Coast Guard fees charged shall consist of the cost of the actual time of the Coast Guard employee or employees involved in supervising the performance of such work. The minimum fee charged shall be \$1.25.

(c) In this copying or reproduction work the fees of the private individual or concern actually performing the work shall be paid directly by the person requesting the information.

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140)

4. Section 1.25-40 is amended to read as follows:

§ 1.25-40 Excerpts from official documents or records.

(a) The fees for photostatic copies of excerpts from official documents or records, such as logs of Coast Guard units, sketches, charts, course recorder graphs, assistance reports, weather data reports, etc., shall be \$0.60 for each sheet 18" x 24" or smaller that is used, and \$1.25 for each sheet larger than 18" x 24" that is used. The minimum fee charged shall be \$1.25.

(b) The fees for copies of excerpts from official documents or records by any other method shall be \$0.60 for each copy of a page 8" x 10½" or smaller or \$1.25 for each copy of a page larger than 8" x 10½" in size, plus the costs of charts, graphs, etc., which may be used. The minimum fee charged shall be \$1.25.

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140)

5. Section 1.25-45 is amended to read as follows:

§ 1.25-45 Marine casualty or accident record.

(a) The fees for the transcript of the record of a marine casualty or accident, including exhibits, charts, etc., conducted under 46 CFR Part 136 shall be \$0.60 for each page of typewritten copy, 8" x 10½" or smaller (which may be an original or carbon copy), and \$0.25 for each additional copy furnished at the same time to the same person; \$0.60 for each sheet of photostat or other copy process 18" x 24" or smaller that may be used; and \$1.25 for each sheet of photostat or other copy process larger than 18" x 24" which may be used. The minimum fee charged shall be \$1.25.

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140)

6. Section 1.25-50 is amended to read as follows:

§ 1.25-50 Suspension and revocation proceeding record.

(a) The fees for the transcript of the record of a suspension or revocation proceeding, including exhibits, charts, etc., conducted under 46 CFR Part 137, shall be \$0.60 for the first copy of each page of typewritten copy (8" x 10½" or smaller), which may be an original or carbon copy, and \$0.25 for each page of additional copy furnished at the same time to the same person; \$0.60 for each sheet of photostat or other copy process 18" x 24" or smaller which may be used, and \$1.25 for each sheet of photostat or other copy process larger than 18" x 24" which may be used. The minimum fee charged shall be \$1.25.

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140)

7. Section 1.25-55 is amended to read as follows:

§ 1.25-55 Excerpts from certain merchant marine records.

(a) The fees for certain types of excerpts from merchant marine records are as follows:

(1) For each copy of an entry or excerpt from merchant vessel log book, the fee shall be \$1.25 for each entry or excerpt with a minimum fee of \$3.25.

(2) For each transcript of service of a merchant seaman prepared in letter form for some one other than the merchant seaman whose service is described therein, the fee shall be \$0.30 for each entry with a minimum fee of \$3.25.

(3) For a transcript of service of a merchant seaman which is furnished to the seaman on Form CG-723, the fee is \$0.50 for the first entry and \$0.10 for each additional entry requested at the same time.

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140)

8. Section 1.25-60 is amended to read as follows:

§ 1.25-60 Shipping articles.

(a) For a photostat copy of a shipping article the fee shall be \$1.25 for each sheet of photostat used, with a minimum fee of \$3.25 for each request.

(b) For each excerpt from a shipping article, the fee shall be \$0.30 for each excerpt, with a minimum fee of \$3.25 for each request.

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140)

9. Section 1.25-65 is amended to read as follows:

§ 1.25-65 Duplicate merchant marine documents or certificates.

(a) The fees to obtain certain duplicate merchant marine documents or certificates are as follows:

(1) *Certificate of registry as staff officer (Form CG-887)*. The fee for a duplicate certificate of registry as staff officer is \$1.75. (See 46 CFR 12.05-7(1).)

(2) *Continuous discharge book (Form CG-719A)*. The fee for a duplicate continuous discharge book is \$1.75. (See 46 CFR 12.02-23.)

(3) *Merchant Mariner's document (Form CG-2838)*. The fee for a duplicate merchant mariner's document is \$1.75. (See 46 CFR 12.02-23.)

(4) *Certificate of discharge to merchant seaman (Form CG-718A)*. The fee for a duplicate certificate of discharge is \$0.50. (See 46 CFR 12.02-23(b).)

(5) *Certificate of seaman's service (Form CG-723)*. The fee for furnishing a merchant seaman with a chronological record of service on Form CG-723, in lieu of issuing individual certificates of discharge on Form CG-718A or in lieu of making duplicate service entries in a seaman's continuous discharge book, as authorized by 46 CFR 154.07, is \$0.50 for the first entry and \$0.10 for each additional entry requested at the same time. (See 46 CFR 12.02-23(b).)

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140. Interpret or apply R.S. 4551, as amended, sec. 7, 49 Stat. 1936, as amended, sec. 7, 53 Stat. 1147, as amended; 46 U.S.C. 643, 689, 247)

10. Section 1.25-70 is amended by revising paragraphs (b), (c), and (d) to read as follows:

§ 1.25-70 Certification or validation of records or documents.

(b) The fee for certification or validation with appropriate Treasury Department seal shall be \$5.50.

(c) The fee for certification or validation with appropriate Coast Guard seal,

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when performed at Headquarters in Washington, D.C., shall be \$3.25. The fee for other certification or validation with appropriate Coast Guard seal shall be \$2.75. The fee for certification or validation without a Coast Guard seal shall be \$1.25.

(d) When the record or document is copied or duplicated by some one other than the Coast Guard and it is requested that such record or document be certified as a true copy of the Coast Guard record or document, the fee for such certification, without Coast Guard seal, shall be \$1.25 for each page or less. If the certification includes the appropriate Treasury Department or Coast Guard seal, the fees in paragraphs (b) and (c) of this section will also apply.

(Sec. 501, 65 Stat. 290, 5 U.S.C. 140)

Dated: January 31, 1961.

[SEAL] A. C. RICHMOND,
Admiral,
U.S. Coast Guard, Commandant.

Approved: February 15, 1961.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 61-1568; Filed, Feb. 21, 1961;
8:48 a.m.]

Proposed Rule Making

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13928; FCC 61-121]

[47 CFR Part 2]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

Notice of Proposed Rule Making

1. Notice of proposed rule making in the above-entitled matter is hereby given.

2. The new international Radio Regulations, signed at Geneva December 21, 1959, and scheduled to come into force on May 1, 1961, have not yet been ratified by the United States. Such regulations are ratified by the President, following the receipt of advice and consent to ratification from the Senate. Unfortunately, time did not permit Senate consideration of this matter prior to the adjournment of Congress. Hence, ratification of the Radio Regulations can not occur earlier than January 1961, when the new session of Congress convenes. Therefore, despite this lack of ratification, the Commission considers it necessary in the public interest to put forth proposals based on the Geneva (1959) Radio Regulations, realizing fully that certain of the proposals may later require modification as a result of conditions attached to the ratification of the Regulations by the United States. No amendment will be made effective except as permitted by and under the terms of the President's ratification with the advice and consent of the Senate.

3. On April 16, 1958, the Commission adopted a notice of proposed rule making in Docket No. 12404 setting forth a number of proposed changes in frequency allocation between 108 and 40,000 Mc. A limited number of those proposed changes were later modified by further notices or were finalized by subsequent Commission actions. For the most part, however, action was withheld on individual proposed changes pending the outcome of the Administrative Radio Conference, Geneva, 1959. Although the proposals presented by the United States at Geneva, 1959 were accepted generally, there is sufficient difference between the allocation table adopted by the Conference and that proposed by the United States to warrant a fresh appraisal of the currently outstanding proposals in Docket No. 12404. Additionally, Docket No. 10988 dealing with the subject of VLF and LF radio-positioning was terminated by Commission Order on May 18, 1960, because the proposals originally set forth therein were not consistent with the results of the Geneva Conference.

4. The Table of Frequency Allocations contained in the Geneva (1959) Radio Regulations is presented in a format which, by means of different styles of

print, indicates the various degrees of status afforded to different radio services to which bands are allocated. Further, the definitions of services and stations in the Radio Regulations have been changed appreciably, both editorially and in number.

5. In view of the factors in paragraphs 3 and 4 above it appears advisable to (1) terminate the proceedings in Docket No. 12404 and (2) issue in a recapitulative form those changes in Part 2 considered necessary to align, insofar as practicable, Part 2 of the Rules and the Geneva (1959) Radio Regulations.

6. Accordingly, set forth below is a proposed revision of Subparts A and B of Part 2 of the Commission's Rules, in toto. In Subpart A, all new definitions and those definitions which have been modified are preceded by an asterisk. In Subpart B, that portion preceding the Table of Frequency Allocations represents a change in format and, to a limited degree, a change in concept insofar as the relative status of different services is concerned. With respect to the Table of Frequency Allocations, it will be recognized that the material in columns 1 through 4 is not subject to change by the Commission since this represents the allocations adopted by the Geneva Conference, as they apply to Region 2 (the Americas). In the remaining columns, 5 through 11, there will be found both editorial and substantive changes.

7. The bands below 25 Mc in which there are substantive changes may be divided into the following specific categories:

A. Standard frequency bands.

kc	kc
19.95-20.05	14,990-15,010
2495-2505	19,990-20,010
4995-5005	24,990-25,010
(9995-10,003)	
10,003-10,005	

The band 19.95-20.05 kc is newly allocated to the standard frequency service. The remaining bands above will continue to be allocated on a primary basis to the standard frequency service but each has also been allocated, on a secondary basis, to the radio astronomy service. Additionally, the bands 10,003-10,005 and 19,990-20,010 kc will also be available to the earth-space and space services, on a secondary basis, for research purposes only.

B. Radiolocation bands.

kc	kc
70-90	1605-1715
110-130	1715-1750
	1750-1800

The allocation within these bands would be changed only in that they would also become available to the radiolocation service.

C. Maritime mobile ship telegraph bands.

kc	kc
4133-4177	12,400-12,531
6200-6265.5	16,530-16,708
8265-8354	22,070-22,220

Under Atlantic City, the above bands were designated as passenger ship working bands. Under Geneva, they have been subdivided as indicated in the Table to provide for wideband telegraphy, facsimile and special transmission systems; a limited number of single sideband telephone channels; and, in those bands above 8 Mc, one double sideband telephony calling channel. These provisions are, of course, in addition to provisions for manual telegraphy. It should be noted that these changes do not represent any change in total bandwidth of the allocation to the maritime mobile service but merely a redistribution of space between segments of that service. The Geneva Conference allocated the band 25,070-25,110 kc on a world-wide basis to the maritime mobile service for ship stations using A-1 or F-1 emission. This allocation resulted from proposals put forth by a number of European administrations rather than by the United States. This band is now used extensively within the United States by the petroleum industry for geophysical purposes using relatively low power equipment. Therefore, until such time as the maritime mobile service establishes a U.S. need for this band, the Commission proposes to continue its availability to the present users. It should be noted however, that after the Geneva Radio Regulations come into force the geophysical operations will be required to afford interference protection to the maritime mobile service of other countries. Also, after that date, stations in the petroleum service in this band will be required to accept any harmful interference that might be experienced from stations in the maritime mobile service. It is anticipated that this will prove to be a workable arrangement for at least 5 to 7 years inasmuch as the maritime mobile service will find this band most useful during periods of high solar activity and we are now on the downward slope of the cyclic curve.

D. Maritime mobile coast telegraph bands.

kc	kc
4238-4368	12,714-13,130
6357-6525	16,952-17,290
8476-8745	22,400-22,650

The only change in the allocation table, insofar as these bands are concerned, is to make it clear that they are available for facsimile as well as conventional telegraphy.

E. Mobile distress and calling. 2170-2194 kc. Unlike Atlantic City, where the frequency 2182 kc was mentioned only by footnote to the Table and no definite guard-band was set, the Geneva Radio Regulations provide a specific world-wide allocation of 2170-2194 kc for "Mobile (distress and calling)". The

guard-band for 2182 kc is automatically established and standardized throughout the world by a provision of the Geneva Radio Regulations which forbids all transmissions on frequencies between 2170 and 2194 kc except for those authorized on 2182 kc.

8. A comparison between the existing Table of Frequency Allocations and the proposals herein shows that the bulk of the changes contemplated occur above 25 Mc, and more particularly above 1000 Mc which is a natural consequence of progress in the state of the art. There is no basis for comparison between 30,000 and 40,000 Mc, of course, inasmuch as the existing Table does not allocate above 30,000 Mc. Despite the fact that there are very many changes contemplated above 25 Mc, all fall within one of the following eight categories:

A. Radio astronomy bands.

Mc	Mc
40.66-40.7	4990-5000
73.0-74.6	10,680-10,700
404-406	15,350-15,400
1400-1427	19,300-19,400
2690-2700	31,300-31,500

It should be noted that the proposal to afford allocation status to the radio astronomy service in the above bands, other than 1400-1427 Mc, represents a departure from the original U.S. proposal which was presented for consideration by the Administrative Radio Conference, Geneva (1959). The U.S. proposal was modified during the course of the Conference and, after modification, contemplated provision for the above bands through the medium of footnotes to the allocation table, again excluding the specific band 1400-1427 Mc. Although the Conference did adopt the footnote concept of treating this matter, it has since become the opinion of the Commission that it would be virtually impossible, from an administrative standpoint, to permit sharing between the radio astronomy service and other radio services, with very few exceptions. This becomes particularly evident when confronted with the extremely low signal levels with which the radio astronomy service is concerned. It is anticipated that radio astronomers, within the next ten years, will have a capability of utilizing field strengths of approximately 20 micro-microvolts per meter. For this reason, it is proposed to make exclusive allocations to radio astronomy above 25 Mc, to the extent practicable. It should be noted that the degree of protection to be afforded the radio astronomy service from extra-band radiations will be no greater than is now afforded other services. It is also proposed to permit stations now authorized in the proposed radio astronomy bands to continue to operate but to authorize no new transmitting stations in those bands. Attention is invited to the fact that the radio astronomy bands would be available to both Government and non-Government users.

B. Space and Earth-Space bands.

Mc	Mc
136-137	2290-2300
400-401	8400-8500
1427-1429	15,150-15,250
1700-1710	31,500-31,800

The U.S. proposals with respect to the earth-space and space services did not receive the degree of support hoped for. Although the above bands were adopted by the Conference, for the most part they represent narrower bands than were proposed, secondary rather than primary status was given the services, and in all instances their use is limited to research. Nonetheless, in the national Table it is proposed to afford these services primary status insofar as practicable. As is the case with radio astronomy, all bands allocated to the earth-space and space services would be available to both Government and non-Government users.

C. Allocations replacing footnotes.

Mc	Mc
25.33-25.6	5350-5650
25.6-26.1	9000-9200
74.6-75.4	9300-9500
2450-2500	

At first glance, the allocations proposed for the above bands appear to be substantive changes but they are primarily editorial in nature. For example, in the existing Table, footnote NG17 provides for the radiolocation service (formerly called radiopositioning) on a non-interference basis. This secondary status can now be portrayed in the Table itself by the style of print used. From the substantive standpoint, it will be noted that the "temporary" designator has been removed from the 75 Mc marker beacon by the deletion of footnote US4. In the band 9000-9200 Mc the term "radionavigation" has been amended to "aeronautical radionavigation" to more clearly show the actual use being made of the band.

D. Industrial, scientific and medical (ISM) frequencies.

Mc	Mc
5800 vice 5850	22,125 vice 18,000

Under Atlantic City (1947), ISM use of 5850 Mc was provided for in Region 2 and a limited number of countries outside the Region. Since Atlantic City allocated only up to 10,500 Mc, there was no international provision for ISM at 18,000 Mc. On the basis of testimony submitted to the Commission in Docket No. 11866, the U.S. proposed 22,235 Mc at Geneva (1959) for ISM rather than 18,000 Mc. In order to reach world-wide agreement however, the Conference adopted 5800 Mc vice 5850 Mc and 22,125 vice 22,235 Mc for ISM.

E. Amateur bands.

3300-3500 Mc

By Commission Order of April 16, 1958, the amateur service allocation 3300-3500 Mc was shifted upward to 3500-3700 Mc, a shift which was subsequently proposed at Geneva (1959) by the U.S. The Conference did not adopt this proposal but retained the 3300-3500 Mc allocation to the amateur service. It is now proposed to change the national Table to once again align it with the international Table.

Mc	Mc
14,000-14,400	24,250-25,250

The above bands were adopted by Geneva (1959) for the radio-navigation service.

It is proposed to reflect that allocation in the national Table.

G. Aeronautical radionavigation bands for airborne devices.

Mc	Mc
5000-5250	15,400-15,700

The allocation of the above bands to the aeronautical radionavigation service is the result of a U.S. proposal which is embodied in Geneva footnote 341 which reads: "The bands 960-1215 Mc, 1535-1660 Mc, 4200-4400 Mc, 5000-5250 Mc and 15,400-15,700 Mc are reserved on a world-wide basis for the use and development of airborne electronic aids to air navigation and any directly associated ground-based facilities." The latter two bands are the only ones not already allocated to the aeronautical radionavigation service in the national Table.

H. Consequential redistribution between G and NG.

Mc	Mc
1660-1670 G	17,700-19,300 NG
2700-2900 G	19,400-19,700 NG
5250-5350 G	25,250-27,525 G
15,700-17,700 G	27,525-31,300 NG

The bands shown above are essentially the result of re-aligning band edges between G and NG bands after taking into account allocation changes adopted at Geneva (1959).

9. As a separate matter, apart from the alignment of Part 2 with the Geneva Radio Regulations, attention is invited to the proposed changes in the bands 2110-2200, 3700-4200, 5925-6425 and 10,700-11,700 Mc. At the time these bands were designated for common carrier fixed operations, it was clearly intended that their use be limited to domestic operations. Because of the advent of tropospheric scatter techniques and to make it clear that the latter three bands are not intended for use by international control and/or international fixed stations, it appears advisable to indicate in the Table of Frequency Allocations that (1) the common carrier fixed stations referred to in Column 9 for the band 2110-2200 Mc are domestic fixed public stations and (2) the common carrier fixed stations shown in Column 9 for the bands 3700-4200, 5925-6425 and 10,700-11,700 Mc include only those in the domestic fixed public service, as will be indicated by the entry in Column 11. It will be noted, however, that a new footnote, NG41, has been proposed to permit international fixed public and international control stations to use these three higher bands in the Caribbean area.

10. Attention is invited to the fact that the NG and US footnotes to the Table of Frequency Allocations have been re-numbered herein to eliminate gaps in the numerical sequence.

11. Attention is invited particularly to the fact that the Geneva (1959) Radio Regulations are not scheduled to come into force until May 1, 1961. Nonetheless, in the interest of an orderly program to implement those Regulations on the date scheduled, the Commission is prepared to adopt in Part 2 of its rules, for national use prior to May 1, 1961, as much of the Geneva Table of Frequency Allocations as appears practicable.

However, it is emphasized that none of the amendments proposed will be made effective except as permitted by and under the terms of the President's ratification with the advice and consent of the Senate.

12. Interested parties filing comments in this proceeding are requested to confine their comments to those portions wherein a change of substance is indicated.

13. The proposed amendments to the rules, as set forth below, are issued pursuant to the authority contained in sections 303(c), (f) and (r) of the Communications Act of 1934, as amended.

14. All interested persons are invited to file, on or before March 14, 1961, documents supporting or opposing the proposals set out in this Notice, or submitting any modifications or counter-proposals the parties may wish to submit. Comments in reply thereto may be submitted by March 24, 1961. The Commission will consider all comments filed hereunder prior to taking final action in this matter provided that, notwithstanding the provisions of § 1.213 of the rules, the Commission will not be limited solely to the comments filed in this proceeding.

15. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, the original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: January 25, 1961.

Released: February 3, 1961.

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

NOTE: While in proposal form, new or changed definitions are indicated by an asterisk.

Subpart A—Definitions

§ 2.1 Definitions.

The following definitions are issued:
Aeronautical advisory station. An aeronautical station used for advisory and civil defense communications with private aircraft stations.

Aeronautical fixed service. A fixed service intended for the transmission of information relating to air navigation, preparation for and safety of flight.

Aeronautical fixed station. A station in the aeronautical fixed service.

Aeronautical mobile service. A mobile service between aeronautical stations and aircraft stations, or between aircraft stations, in which survival craft may also participate.

Aeronautical radionavigation service. A radionavigation service intended for the benefit of aircraft.

Aeronautical search and rescue mobile station. A mobile station used for communication with aircraft engaged in search and rescue operations.

Aeronautical station. A land station in the aeronautical mobile service. In certain instances an aeronautical station may be placed on board a ship.

Aeronautical telemetering land station. A telemetering land station used in the flight testing of manned or un-

manned aircraft, missiles, or major components thereof.

Aeronautical telemetering mobile station. A telemetering mobile station used in the flight testing of manned or unmanned aircraft, missiles, or major components thereof.

Aeronautical utility land station. A land station located at airdrome control towers and used for control of ground vehicles and aircraft on the ground at airdromes.

Aeronautical utility mobile station. A mobile station used for communication, at airdromes, with the aeronautical utility land station, ground vehicles, and aircraft on the ground.

Aircarrier aircraft station. An aircraft station aboard an aircraft engaged in, or essential to, transportation of passengers or cargo for hire.

Aircraft station. A mobile station in the aeronautical mobile service on board an aircraft.

Airdrome control station. An aeronautical station providing communication between an airdrome control tower and aircraft.

Amateur service. A service of self-training, intercommunication and technical investigations carried on by amateurs, that is, by duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest.

Amateur station. A station in the amateur service.

Authorized frequency. The frequency assigned to a station by the Commission and specified in the instrument of authorization.

Authorized power. The power assigned to a radio station by the Commission and specified in the instrument of authorization. The authorized power does not necessarily correspond to the power used by the Commission for purposes of its Master Frequency Record (MFR) and notification to the International Telecommunication Union.

Aviation services. Aviation services are primarily for the safe, expeditious and economical operation of aircraft. They include the aeronautical fixed service, aeronautical mobile service, aeronautical radionavigation service, and secondarily, the handling of public correspondence to and from aircraft.

Baseband. In the process of modulation, the baseband is the frequency band occupied by the aggregate of the modulating signals when first used to modulate a carrier.

Base station. A land station in the land mobile service carrying on a service with land mobile stations.

Broadcasting service. A radiocommunication service in which the transmissions are intended for direct reception by the general public. This service may include sound transmissions, television transmissions or other types of transmissions.

Broadcasting station. A station in the broadcasting service.

Carrier. In a frequency stabilized system, the sinusoidal component of a modulated wave whose frequency is independent of the modulating wave; or the output of a transmitter when the

modulating wave is made zero; or a wave generated at a point in the transmitting system and subsequently modulated by the signal; or a wave generated locally at the receiving terminal which, when combined with the side bands in a suitable detector, produces the modulating wave.

Carrier frequency. The frequency of the carrier.

Citizens radio service. A radiocommunication service of fixed, land, and mobile stations intended for personal or business radiocommunications, radio signalling, control of remote objects or devices by means of radio, and other purposes not specifically prohibited.

Civil Air Patrol land station. A land station used exclusively for communications of the Civil Air Patrol.

Civil Air Patrol mobile station. A mobile station used exclusively for communications of the Civil Air Patrol.

Coast station. A land station in the maritime mobile service.

Common carrier fixed station. A fixed station open to public correspondence.

Disaster communications service. A service of fixed, land, and mobile stations licensed or authorized to provide essential communications incident to or in connection with disaster or other incidents which involve loss of communications facilities normally available or which require the temporary establishment of communications facilities beyond those normally available.

Domestic fixed public service. A fixed service, the stations of which are open to public correspondence, for radiocommunications originating and terminating solely at points all of which lie within: (a) the State of Alaska, or (b) the State of Hawaii, or (c) the contiguous 48 states and the District of Columbia, or (d) a single possession of the United States. Generally, in cases where service is afforded on frequencies above 72 Mc, radiocommunications between the contiguous 48 states (including the District of Columbia) and Canada or Mexico, or radiocommunications between the State of Alaska and Canada, are deemed to be in the domestic fixed public service.

Domestic fixed public station. A fixed station in the domestic fixed public service.

Domestic public radiocommunication services. The land mobile and domestic fixed public services the stations of which are open to public correspondence.

Duplex operation. Operating method in which transmission is possible simultaneously in both directions.

Earth-Space service. A radiocommunication service between earth stations and space stations.

Earth station. A station in the earth-space service located either on the earth's surface or on an object which is limited to flight between points on the earth's surface.

Experimental station. A station utilizing radio waves in experiments with a view to the development of science or technique. This definition does not include amateur stations.

Facsimile. A system of telecommunication for the transmission of fixed images, with or without half-tones, with

a view to their reproduction in a permanent form.

Facsimile broadcasting station. A broadcasting station utilizing facsimile primarily.

Fixed public control service. A fixed service carried on for the purpose of transmitting intelligence between transmitting or receiving stations in the public radiocommunication services and the message centers or control points associated therewith.

Fixed service. A service of radiocommunication between specified fixed points.

Fixed station. A station in the fixed service.

Flight test station. An aeronautical station used for the transmission of essential communications in connection with the testing of aircraft or major components of aircraft: Provided, however, flight test stations, when operating on the frequency 3281 kc, are designated as land stations, only with respect to operation on the frequency 3281 kc.

Flying school station. An aeronautical station used for radiocommunication pertaining to instructions to students or pilots while actually operating aircraft.

FM broadcast STL station. A fixed station utilizing telephony to transmit from a studio of an FM broadcasting station to the transmitter of that broadcasting station, programs to be broadcast by that station.

FM broadcasting station. A broadcasting station utilizing telephony by means of frequency modulation, and when authorized under a Subsidiary Communications Authorization (SCA), utilizing F9 emissions.

FM inter-city relay station. A fixed station used for the transmission of FM broadcasting programs from one FM broadcasting station to other FM broadcasting stations to provide simultaneous network FM broadcasting and operated only by FM broadcast licensees.

***Gc (gigacycle).** A gigacycle (Gc) means one thousand megacycles.

***Harmful interference.** Any emission, radiation or induction which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs, or repeatedly interrupts a radiocommunication service operating in accordance with regulations in this part.

***Industrial radio services.** Any service of radiocommunication essential to, operated by, and for the sole use of, those enterprises which for purposes of safety or other necessity require radiocommunication in order to function efficiently, the radio transmitting facilities of which are defined as fixed, land, mobile or radiolocation stations.

***Industrial, scientific and medical equipment (ISM equipment).** Devices which use radio waves for industrial, scientific, medical, or any other purposes including the transfer of energy by radio and which are neither used nor intended to be used for radiocommunication.

***Instrument landing system.** A radionavigation system which provides aircraft with horizontal and vertical guidance just before and during landing and, at certain fixed points, indicates the distance to the reference point of landing.

***Instrument landing system glide path.** A system of vertical guidance embodied in the instrument landing system which indicates the vertical deviation of the aircraft from its optimum path of descent.

***Instrument landing system localizer.** A system of horizontal guidance embodied in the instrument landing system which indicates the horizontal deviation of the aircraft from its optimum path of descent along the axis of the runway.

International broadcasting station. A broadcasting station employing frequencies allocated to the broadcasting service between 5950 kc and 26100 kc, whose transmissions are intended to be received directly by the general public in foreign countries.

International control station. A fixed station in the fixed public control service associated directly with the international fixed public radiocommunication service.

***International fixed public radio service.** A fixed service, the stations of which are open to public correspondence and which, in general, is intended to provide radiocommunication between any one of the contiguous 48 states (including the District of Columbia) and the State of Alaska, or the State of Hawaii, or any U.S. possession or any foreign point; or between any U.S. possession and any other point; or between the State of Alaska and any other point; or between the State of Hawaii and any other point. In addition, radiocommunications within the contiguous 48 states (including the District of Columbia) in connection with the relaying of international traffic between stations which provide the above service, are also deemed to be in the international fixed public radiocommunication service; provided, however, that communications solely between Alaska, or any one of the contiguous 48 states (including the District of Columbia), and either Canada or Mexico are not deemed to be in the international fixed public radiocommunication service when such radiocommunications are transmitted on frequencies above 72 Mc.

***International fixed public station.** A fixed station in the international fixed public radio service.

Interzone station. A fixed station in the public safety (police) radio service using radiotelegraphy (A1 emission) for communication with zone stations within the zone and with interzone stations in other zones.

***Ionospheric scatter.** The propagation of radio waves by scattering as a result of irregularities or discontinuities in the ionization of the ionosphere.

Kc (kilocycle). A kilocycle (kc) means one kilocycle per second and is equal to one thousand cycles per second.

Land mobile service. A mobile service between base stations and land mobile stations, or between land mobile stations.

Land mobile station. A mobile station in the land mobile service capable of surface movement within the geographical limits of a country or continent.

***Land station.** A station in the mobile service not intended to be used while in motion.

Land transportation radio service. Any private service of radiocommunication essential to the conduct of certain land transportation activities and operated for the use of persons engaged in those activities, the transmitting facilities of which are defined as fixed, land, mobile or radiolocation stations.

Localizer station. A radionavigation land station in the aeronautical radionavigation service which provides signals for the lateral guidance of aircraft with respect to a runway center line.

Loran station. A long distance radionavigation land station transmitting synchronized pulses. Hyperbolic lines of position are determined by the measurement of the difference in the time of arrival of these pulses.

Marine radiobeacon station. A radionavigation land station, the emissions of which are intended to enable a ship station to determine its bearing or its direction in relation to the marine radiobeacon station.

***Maritime mobile service.** A mobile service between coast stations and ship stations, or between ship stations, in which survival craft stations may also participate.

Maritime radionavigation service. A radionavigation service intended for the benefit of ships.

***Marker beacon.** A transmitter in the aeronautical radionavigation service which radiates vertically a distinctive pattern for providing position information to aircraft.

Mc (megacycle). A megacycle (Mc) means one thousand kilocycles.

***Meteorological aids service.** A radiocommunication service used for meteorological, including hydrological, observations and exploration.

Mobile, except television pickup, station. Any mobile station other than a television pickup station.

Mobile service. A service of radio communication between mobile and land stations, or between mobile stations.

Mobile station. A station in a mobile service intended to be used while in motion or during halts at unspecified points.

Modulation. The process of producing a wave some characteristic of which varies as a function of the instantaneous value of another wave, called the modulating wave.

Omni-directional range station. A radionavigation land station in the aeronautical radionavigation service providing direct indication of the bearing (omni-bearing) of that station from an aircraft.

Operational fixed station. A fixed station, not open to public correspondence, operated by and for the sole use of those agencies operating their own radiocommunication facilities in the public safety, industrial, land transportation, marine, or aviation service.

***Port operations.** Communications in or near a port, or in locks or waterways, between coast stations and ship stations, or between ship stations, in which messages are restricted to those relating to the movement and safety of ships and, in emergency, to the safety of persons.

Primary standard of frequency. The primary standard of frequency for radio frequency measurements shall be the national standard of frequency maintained by the National Bureau of Standards, Department of Commerce, Washington, D.C. The operating frequency of all radio stations will be determined by comparison with this standard or the standard signals of station WWV of the National Bureau of Standards.

Private aircraft station. An aircraft station on board an aircraft not operated as an air carrier.

Public correspondence. Any telecommunication which the offices and stations, by reason of their being at the disposal of the public, must accept for transmission.

Public safety radio service. Any service of radiocommunication essential either to the discharge of non-federal governmental functions or the alleviation of an emergency endangering life or property, the radio transmitting facilities of which are defined as fixed, land, mobile, or radiolocation stations.

Racon. A radionavigation system transmitting, automatically or in response to a predetermined received signal, a pulsed radio signal with specific characteristics.

Racon station. A radionavigation land station which employs a racon.

Radar. A radiodetermination system based on the comparison of reference signals with radio signals reflected, or re-transmitted, from the position to be determined.

Radio. A general term applied to the use of radio waves.

Radio altimeter. A radionavigation equipment, on board an aircraft, which makes use of the reflection of radio waves from the ground to determine the height of the aircraft above the ground.

Radio astronomy. Astronomy based on the reception of radio waves of cosmic origin.

Radio astronomy service. A service involving the use of radio astronomy.

Radiobeacon station. A station in the radionavigation service the emissions of which are intended to enable a mobile station to determine its bearing or direction in relation to the radiobeacon station.

Radiocommunication. Telecommunication by means of radio waves.

Radiodetermination. The determination of position, or the obtaining of information relating to position, by means of the propagation properties of radio waves.

Radiodetermination service. A service involving the use of radiodetermination.

Radiodetermination station. A station in the radiodetermination service.

Radio direction-finding. Radiodetermination using the reception of radio waves for the purpose of determining the direction of a station or object.

Radio direction-finding station. A radiodetermination station using radio direction-finding.

Radiolocation. Radiodetermination used for purposes other than those of radionavigation.

Radiolocation land station. A station in the radiolocation service not in-

tended to be used while in motion, or during halts at unspecified points.

Radiolocation mobile station. A station in the radiolocation service intended to be used while in motion or during halts at unspecified points.

Radiolocation service. A radiodetermination service involving the use of radiolocation.

Radiolocation. Radiodetermination used for the purposes of navigation, including obstruction warning.

Radiolocation land station. A station in the radiolocation service not intended to be used while in motion.

Radiolocation mobile station. A station in the radiolocation service intended to be used while in motion or during halts at unspecified points.

Radiolocation service. A radiodetermination service involving the use of radiolocation.

Radio range station. A radionavigation land station in the aeronautical radionavigation service providing radial equisignal zones.

Radiosonde. An automatic radio transmitter in the meteorological aids service usually carried on an aircraft, free balloon, kite or parachute, and which transmits meteorological data.

Radiosonde station. A station in the meteorological aids service employing a radiosonde.

Radio waves (or Hertzian waves). Electromagnetic waves of frequencies lower than 3000 Gc [3,000,000 Mc], propagated in space without artificial guide.

Remote pickup broadcast base station. A base station, licensed for the transmission of program material from remote points of origination to a broadcasting station for simultaneous or delayed broadcasting and for the transmission of orders pertaining to such programs.

Remote pickup broadcast mobile station. A land mobile station, licensed for the transmission of program material from remote points of origination to a broadcasting station for simultaneous or delayed broadcasting and for the transmission of orders pertaining to such programs.

Safety service. A radiocommunication service used permanently or temporarily for the safeguarding of human life and property.

Ship station. A mobile station in the maritime mobile service located on board a vessel, other than a survival craft, which is not permanently moored.

Simplex operation. Operating method in which transmission is made possible alternately in each direction, for example, by means of manual control.

Space service. A radiocommunication service between space stations.

Space station. A station in the earth-space service or the space service located on an object which is beyond, or intended to go beyond, the major portion of the earth's atmosphere and which is not intended for flight between points on the earth's surface.

Standard broadcasting station. A broadcasting station operated on a frequency in the band 535-1605 kilocycles.

Standard frequency service. A radiocommunication service for scientific,

technical and other purposes, providing the transmission of specified frequencies of stated high precision, intended for general reception.

Survival craft station. A mobile station in the maritime or aeronautical mobile service intended solely for survival purposes and located on any lifeboat, life-raft or other survival equipment.

Telecommunication. Any transmission, emission or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio visual or other electromagnetic systems.

Telegraphy. A system of telecommunication which is concerned in any process providing transmission and reproduction at a distance of documentary matter, such as written or printed matter or fixed images, or the reproduction at a distance of any kind of information in such a form. The foregoing definition appears in the International Telecommunication Convention, but, for the purposes of the Commission's Rules, telegraphy shall mean, unless otherwise specified, "A system of telecommunication for the transmission of written matter by the use of a signal code."

Telemetering. The use of telecommunication for automatically indicating or recording measurements at a distance from the measuring instrument.

Telemetering fixed station. A fixed station, the emissions of which are used for telemetering.

Telemetering land station. A land station, the emissions of which are used for telemetering.

Telemetering mobile station. A mobile station, the emissions of which are used for telemetering.

Telephony. A system of telecommunication set up for the transmission of speech or, in some cases, other sounds.

Television. A system of telecommunication for transmission of transient images of fixed or moving objects.

Television broadcasting station. A broadcasting station utilizing both television and telephony to provide combination and simultaneous visual and aural programs intended to be received directly by the general public.

Television inter-city relay station. A fixed station used for intercity transmission of television program material and related communications for use by television broadcast stations.

Television pickup station. A land mobile station used for the transmission of television program material and related communications from the scenes of events occurring at points removed from television broadcast studios to television broadcast stations.

Television STL station (studio-transmitter link). A fixed station used for the transmission of television program material and related communications from a studio to the transmitter of a television broadcast station.

Tropospheric scatter. The propagation of radio waves by scattering as a result of irregularities or discontinuities in the physical properties of the troposphere.

Zone station. A fixed station in the public safety (police) radio service using

radiotelegraph (A1 emission) for communication with other similar stations in the same zone and with an interzone station.

Subpart B—Allocation, Assignment and Use of Radio Frequencies

§ 2.100 International regulations in force.

The Atlantic City (1947) Radio Regulations continue in force until May 1, 1961 and shall be controlling in the resolution of international problems until that time. The Geneva (1959) Radio Regulations shall become effective May 1, 1961. The latter have been incorporated into Subparts A and B of this part to the extent practicable and are applicable nationally effective immediately unless otherwise indicated.

§ 2.101 Nomenclature of frequencies.

Frequencies are expressed in kilocycles per second (kc) at and below 25,000 kilocycles per second and in megacycles per second (Mc) above this frequency.

Band number	Frequency subdivision	Frequency range
4-----	VLF (very low frequency).	below 30 kc.
5-----	LF (low frequency)-----	30 to 300 kc.
6-----	MF (medium frequency)-----	300 to 3000 kc.
7-----	HF (high frequency)-----	3000 to 30,000 kc.
8-----	VHF (very high frequency).	30 Mc to 300 Mc.
9-----	UHF (ultra high frequency).	300 Mc to 3000 Mc.
10-----	SHF (super high frequency).	3000 Mc to 30,000 Mc.
11-----	EHF (extremely high frequency).	30,000 Mc to 300,000 Mc.

§ 2.102 Assignment of frequencies.

(a) Except as otherwise provided in this section, the assignment of frequencies and bands of frequencies to all stations and classes of stations and the licensing and authorizing of the use of all such frequencies between 10 kc and 40,000 Mc, and the actual use of such frequencies for radiocommunication or for any other purpose, including the transfer of energy by radio shall be in accordance with the Table of Frequency Allocations in § 2.106.

(b) On the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations the following exceptions to paragraph (a) of this section may be authorized:

(1) In individual cases the Commission may, without rule-making proceedings, authorize on a temporary basis only, the use of frequencies not in accordance with the Table of Frequency Allocations for projects of short duration or emergencies where the Commission finds that important or exceptional circumstances require such utilization: *Provided*, That such authorizations are not intended to develop a service to be operated on frequencies other than those allocated such service.

(2) A station for the development of techniques or equipment to be employed by services or classes of stations set forth in columns 8 and 9 of the Table of Frequency Allocations may be authorized the use of frequencies allocated to those services or classes of stations.

(3) Experimental stations engaged solely in scientific or technical radio experiments not related to an existing or proposed service nor intended to develop a proposed service or specific use of radio may be authorized the use of any frequency which is in a band allocated to the fixed, land mobile or broadcasting services or to one of these services shared with another service.

(4) Experimental stations engaged solely in ionospheric sounding by means of the technique of sweeping a band of frequencies may be authorized the use of any band or bands of frequencies.

(5) Experimental stations to be operated pursuant to a contractual agreement with the United States Government and intended for the sole and express purpose of developing equipment or a technique to be employed by stations belonging to and operated by the United States may be authorized the use of any frequency.

(6) Experimental stations intended for the sole and express purpose of developing equipment or a technique to be employed by stations under the jurisdiction of a foreign government may be authorized the use of any frequency which is not in a band allocated to the amateur service.

(7) In the event a band is reallocated so as to delete its availability for use by a particular service, the Commission may provide for the further interim use of the band by stations in that service for a temporary, specific period of time.

(c) The use of frequencies in the bands above 25 Mc allocated exclusively to Government stations and the use of frequencies below 25 Mc which may not be in accordance with § 2.104 may be authorized to non-Government stations in those instances where the Commission finds, after consultations with the appropriate Government agency or agencies, that such assignment is necessary for intercommunication with Government stations or where such use by non-Government stations is required for coordination with Government activities.

(d) Aircraft stations may communicate with stations of the maritime mobile service. They shall then conform to those provisions of the Radio Regulations which relate to the maritime mobile service. For this purpose aircraft stations should use the frequencies allocated to the maritime mobile service. However, having regard to interference which may be caused by aircraft stations at high altitudes, maritime mobile frequencies in the bands above 30 Mc shall not be used by aircraft stations in any specific area without the prior agreement of all administrations of the area in which interference is likely to be caused. In particular, aircraft stations operating in Region 1 should not use frequencies in the bands above 30 Mc allocated to the maritime mobile service by virtue of any agreement between administrations in that Region.

(e) Non-Government services operating on frequencies in the band 25–50 Mc must recognize that it is shared with various services of other countries; that harmful interference may be caused by skywave signals received from distant

stations of all services of the United States and other countries radiating power on frequencies in this band; and that no protection from such harmful interference generally can be expected. Persons desiring to avoid such harmful interference should consider operation on available frequencies higher in the radio spectrum not generally subject to this type of difficulty.

(f) The stations of a service shall use frequencies so separated from the limits of a band allocated to that service as not to cause harmful interference to the service to which the frequency bands immediately adjoining are allocated.

(g) In the bands above 25 Mc which are allocated to the non-Government land mobile service, fixed stations may be authorized on the following conditions:

(1) That such stations are authorized in the service shown in Column 11 of the Table of Frequency Allocations in the band in question;

(2) That harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

§ 2.103 Government use of non-Government frequencies.

(a) Government stations may be authorized to use non-Government frequencies in the bands above 25 Mc if the Commission finds that such use is necessary for communication between Government and non-Government stations, or that such use is necessary for coordination of Government and non-Government activities: *Provided, however, That:*

(1) Government operation on non-Government frequencies shall conform with the conditions agreed upon by the Commission and the Office of Civil and Defense Mobilization (the more important of which are contained in subparagraphs (2), (3), and (4) of this paragraph), a complete list of which is available for public examination at each of the Commission's Field Engineering and Monitoring Bureau Field Offices;

(2) Such operations shall be in accordance with Commission rules governing the service to which the frequencies involved are allocated;

(3) Such operations shall not cause harmful interference to non-Government stations and, should harmful interference result, that the interfering Government operation shall immediately terminate; and

(4) Government operation has been certified as necessary by the non-Government licensees involved and this certification has been furnished, in writing, to the Government agency with which communication is required.

§ 2.104 Application of the Table of Frequency Allocations.

(a) In the Table of Frequency Allocations below 25 Mc, the authority extended to stations in the fixed service, unless otherwise specified, extends only to those stations in the following categories of service:

(1) Aeronautical fixed.
(2) Fixed (in U.S. possessions and Alaska).

later date; (c) can claim protection however from harmful interference from stations of the same or other secondary service(s) to which frequencies may be assigned at a later date.

(f) The following symbols are used to designate footnotes in the Table of Frequency Allocations.

(1) Any footnote consisting only of digits, e.g., (170), denotes a paragraph in the Geneva (1959) Radio Regulations. Where such a footnote is applicable, without modification, to the national Table of Frequency Allocations, the symbol appears in the national table as well as in Column 1, 2, 3, or 4.

(2) Any footnote consisting of the letters US followed by one or more digits, e.g., US1, denotes a stipulation the application of which is a matter of agreement between the Commission and other appropriate Government agencies.

(3) Any footnote consisting of the letters NG followed by one or more digits, e.g., NG1, is a stipulation applicable to a non-Government stations.

(2) Services, the names of which are italicized and are printed with the first letter capitalized and all others small type (example: *Radiomobile*); these services are called "permitted" services;

(3) Services, the names of which are printed as in (2) above, but not italicized (example: *Mobile*); these are called "secondary" services, which are on a non-interference basis to the primary and permitted services.

NOTE: 1. Geneva Radio Regulation No. 138: Permitted and primary services have equal rights, except that, in the preparation of frequency plans, the primary service, as compared with the permitted service, shall have prior choice of frequencies.

NOTE 2. Geneva Radio Regulation No. 139: Stations of a secondary service: (a) Shall not cause harmful interference to stations of primary or permitted services to which frequencies are already assigned or to which frequencies may be assigned at a later date; (b) cannot claim protection from harmful interference from stations of a primary or permitted service to which frequencies are already assigned or may be assigned at a later date.

(c) Column 10 lists certain frequencies which have national or international significance and are used for specific standardized purposes. These frequencies may be made available for assignment to stations which conform to the nature of service or station listed in Column 11 opposite the assignable frequency. The assignment and use of the frequencies listed in Column 10 is limited to those stations which, by definition, are included in the services and classes of stations (Column 8 or 9) to which the frequency band (Column 7) is allocated.

(d) In Column 11 "SERVICES" are in large block print and "Stations" in small print.

(e) Where, in Columns 2, 4, and 8, a band is indicated as allocated to more than one service, such services are listed in the following order:

(1) Services, the names of which are printed in all capital letters (example: *FIXED*); these services are called "primary" services;

(3) International fixed public. (b) In the Table of Frequency Allocations between 5,000 and 25,000 kc, the authority extended to stations in the mobile service, unless otherwise specified, extends only to those stations in the following categories of service:

(1) Aeronautical mobile.

(2) Maritime mobile.

§ 2.105 Format of the Table of Frequency Allocations.

(a) Columns 1, 2, 3, and 4 of the Table of Frequency Allocations indicate the allocation applicable on a world-wide basis or in Region 2 in accordance with the Geneva Radio Regulations.

(b) In Column 6 (above 25 Mc) the letter G means Federal Government radio stations, i.e., those belonging to and operated by the United States. The symbol NG means other than Federal Government radio stations, i.e., those whose frequencies are assigned by the Commission.

§ 2.106 Table of Frequency Allocations.

World wide				Region 2		United States		Federal Communications Commission		
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature of service
1	2	3	4	5	6	7	8	9	10	11
Below 10 (157)	(Not allocated.)			Below 10	(Not allocated.)	Below 10	(Not allocated.)			
10-14	RADIONAVIGATION. Radiolocation.					10-14	RADIONAVIGATION.	Radiomobile land. Radiomobile mobile.		RADIONAVIGATION.
14-19.95 (159)	FIXED. MARITIME MOBILE. (158)					14-19.95	FIXED.	Fixed.		INTERNATIONAL FIXED PUBLIC.
19.95-20.05 (159)	STANDARD FREQUENCY. (160)					19.95-20.05	STANDARD FREQUENCY.	Standard frequency.	20	Standard frequency.
20.05-70 (161)	FIXED. MARITIME MOBILE. (158)					20.05-70	FIXED.	Fixed.		INTERNATIONAL FIXED PUBLIC.
70-90		70-90 (164)	FIXED. MARITIME MOBILE. (158)			70-90	FIXED. Radiolocation.	Fixed. Radiolocation land. Radiolocation mobile.		INTERNATIONAL FIXED PUBLIC. RADIOLOCATION.
90-110		90-110 (166)	RADIONAVIGATION. Maritime mobile. (158)			90-110 (166)	RADIONAVIGATION.	Radiomobile land. Radiomobile mobile.		RADIONAVIGATION.

World wide				Region 2			United States		Federal Communications Commission			
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature of service (of stations)
1	2	3	4	5	6	7	8	9	10	11		
110-130		110-130 (164) (168)	FIXED. (167) MARITIME MOBILE (167) MARITIME RADIO-NAVIGATION. (162) Radiolocation.			110-130	FIXED. MARITIME MOBILE. (167) Radiolocation.	Coast. Fixed. Radiolocation land. Radiolocation mobile. Ship.	10	FIXED (in Alaska). INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. RADIOLOCATION.		
130-160		130-160 (167)	FIXED. MARITIME MOBILE (171).			130-160 (167)	FIXED. MARITIME MOBILE. (171)	Coast. Fixed. Ship.		FIXED (in Alaska). INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE.		
160-200		160-200 (179)	FIXED.			160-200	FIXED.	Fixed.		FIXED (in Alaska). INTERNATIONAL. FIXED PUBLIC.		
200-285		200-285	AERONAUTICAL RADIONAVIGATION. Aeronautical mobile.			200-285	AERONAUTICAL RADIONAVIGATION. (US18) Aeronautical mobile.	Aeronautical. Aircraft. Radionavigation land.		AERONAUTICAL MOBILE. AERONAUTICAL RADIONAVIGATION.		
285-315	MARITIME RADIO-NAVIGATION (radiobeacons). Aeronautical radionavigation.					285-325	MARITIME RADIONAVIGATION. (US16) (US18)	Radionavigation land.		MARITIME RADIONAVIGATION.		
315-325		315-325	MARITIME RADIO-NAVIGATION (radiobeacons). Aeronautical radionavigation.									
325-405	AERONAUTICAL RADIONAVIGATION. Aeronautical mobile. (181)					325-405	AERONAUTICAL RADIONAVIGATION. (US18) Aeronautical mobile.	Aeronautical. Aircraft. Radionavigation land.		AERONAUTICAL MOBILE. AERONAUTICAL RADIONAVIGATION.		
405-415		405-415	MARITIME RADIO-NAVIGATION (radio direction-finding). Aeronautical radionavigation. Aeronautical mobile.			405-415 (US18)	MARITIME RADIO-NAVIGATION (radio direction-finding). Aeronautical radionavigation. Aeronautical mobile. (US19)	Aeronautical. Aircraft. Radionavigation land. Radionavigation mobile.	410	Radio direction-finding.		
415-490	MARITIME MOBILE (189) (186)					415-490	MARITIME MOBILE	Coast. Ship.		MARITIME MOBILE (telegraphy).		
490-510	MOBILE (distress and calling). (187)					490-510	MOBILE.	Coast. Mobile.	500	Distress and calling.		
510-525		510-525	MOBILE. Aeronautical radionavigation. (188)			510-535 (US14)						
525-535		525-535	MOBILE. Broadcasting. Aeronautical radionavigation. (188)									
535-1004	BROADCASTING.					535-1605 (US16) (NG16)	BROADCASTING.			Standard broadcasting.		

World wide			Region 2		United States		Federal Communications Commission			
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature of service
1605-1800	2	3	4	5	6	7	8	9	10	11
		1605-1800	FIXED MOBILE AERONAUTICAL RADIONAVIGATION. Radiolocation			1605-1715	AERONAUTICAL RADIONAVIGATION. (NG17) FIXED. LAND MOBILE. MARITIME MOBILE. RADIOLOCATION. (NG18)	Base. Mobile. Fixed. Land mobile. Radionavigation land.		AERONAUTICAL FIXED. AERONAUTICAL RADIONAVIGATION. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY. RADIOLOCATION. Remote pickup broadcast base. Remote pickup broadcast mobile. Radionavigation land. Do.
						1715-1750	FIXED. LAND MOBILE. MARITIME MOBILE. RADIOLOCATION.	Base. Mobile. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY. RADIOLOCATION. Remote pickup broadcast base. Remote pickup broadcast mobile.
1800-2000		1800-2000 (198)	AMATEUR. FIXED. MOBILE except aeronautical mobile. RADIONAVIGATION.			1750-1800 (NG14)	FIXED. MOBILE. RADIOLOCATION.	Fixed. Land. Mobile.		DISASTER. RADIOLOCATION.
2000-2065		2000-2065	FIXED. MOBILE.			1800-2000 (198) (NG15)	RADIONAVIGATION. Amateur.	Amateur. Loran.		AMATEUR. Loran.
2065-2107		2065-2107	MARITIME MOBILE. (200)			2000-2035	MARITIME MOBILE. (NG19)	Coast. Ship.		MARITIME MOBILE.
2107-2170		2107-2170	FIXED. MOBILE.			2035-2065	MARITIME MOBILE.	Coast.		Coast (telegraphy).
						2065-2107	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						2107-2170	FIXED. (NG19) LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
2170-2194	MOBILE (distress and calling). (201)					2170-2194	MOBILE. (NG22) (201)	Aircraft. Coast. Ship. Survival craft.	2182	AERONAUTICAL MOBILE (telephony). MARITIME MOBILE (telephony). Distress and calling frequency.

World wide			Region 2		United States		Federal Communications Commission			
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature (of service of stations)
1	2	3	4	5	6	7	8	9	10	11
2194-2300		2194-2300	FIXED MOBILE.			2194-2495	FIXED, (NG19) LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
2300-2495		2300-2495	FIXED MOBILE. BROADCASTING. (202)							
2495-2505		2495-2505 (203) (204)	STANDARD FREQUENCY.			2495-2505	STANDARD FREQUENCY. (US74) Radio astronomy.	Radio astronomy. Standard frequency.	2500	RADIO ASTRONOMY. Standard frequency.
2505-2625		2505-2625	FIXED MOBILE.			2505-2850	FIXED. LAND MOBILE. MARITIME MOBILE. (NG20)	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. Public (telephony). Do. PUBLIC SAFETY. Zone and interzone police. Do. Do.
2625-2850		2625-2850	FIXED MOBILE.						2638 2738 2804 2808 2812	
2850-3025	AERONAUTICAL MOBILE. (R)					2850-3025	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
3025-3155	AERONAUTICAL MOBILE. (OR)					3025-3155	AERONAUTICAL MOBILE. (OR)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
3155-3200	FIXED. MOBILE except aeronautical mobile. (R)					3155-3200	FIXED. LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska and Puerto Rico). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
3200-3230	FIXED. MOBILE except aeronautical mobile. (R) BROADCASTING. (202)					3200-3230 (NG20)	FIXED. LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
3230-3400	FIXED. MOBILE except aeronautical mobile. BROADCASTING. (202)					3230-3240	FIXED. LAND MOBILE. MARITIME MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.
						3240-3400	FIXED. LAND MOBILE. MARITIME MOBILE. MOBILE.	Base. Coast. Fixed. Land mobile. Ship.		AVIATION (flight test and aeronautical fixed only). FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC. MARITIME MOBILE. PUBLIC SAFETY.

World wide			Region 2		United States		Federal Communications Commission			
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature (of stations)
1	2	3	4	5	6	7	8	9	10	11
3400-3500	AERONAUTICAL MOBILE. (R)					3400-3500	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
3500-4000		3500-4000	AMATEUR. FIXED. MOBILE except aeronautical mobile. (R)			3500-4000	AMATEUR.	Amateur.		AMATEUR.
4000-4063	FIXED.					4000-4063	FIXED.	Fixed.		AERONAUTICAL FIXED. FIXED (in Alaska). INTERNATIONAL. FIXED PUBLIC.
4063-4438	MARITIME MOBILE. (208) (209)					4063-4133 (NG29)	MARITIME MOBILE.	Ship.		Ship (telephony).
						4133-4140	MARITIME MOBILE.	Ship.		Ship (SSB telephony).
						4140-4160	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).
						4160-4177	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						4177-4187	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).
						4187-4238	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						4238-4368	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).
4438-4650		4438-4650	FIXED. MOBILE except aeronautical mobile. (R)			4368-4438 (NG29)	MARITIME MOBILE.	Coast.		Coast (telephony).
						4438-4650	FIXED. MOBILE.	Base. Fixed. Mobile.		AERONAUTICAL FIXED. FIXED (in Alaska). INDUSTRIAL. INTERNATIONAL. FIXED PUBLIC.
4650-4700	AERONAUTICAL MOBILE. (R)					4650-4700	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
4700-4750	AERONAUTICAL MOBILE. (OR)					4700-4750	AERONAUTICAL MOBILE. (OR)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.
4750-4850		4750-4850	FIXED. BROADCASTING. (202)			4750-4850	FIXED.	Fixed.		AERONAUTICAL FIXED. FIXED (in Alaska). INTERNATIONAL. FIXED PUBLIC.
4850-4995	FIXED. LAND MOBILE. BROADCASTING. (203)					4850-4995	FIXED.	Fixed.		AERONAUTICAL FIXED. FIXED (in Alaska). INTERNATIONAL. FIXED PUBLIC.
4995-5005	STANDARD FREQUENCY. (204) (210)					4995-5005	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	5000	RADIO ASTRONOMY. Standard frequency.
5005-5060	FIXED. BROADCASTING. (202)					5005-5450	FIXED.	Fixed.		AERONAUTICAL FIXED. FIXED (in Alaska). INTERNATIONAL. FIXED PUBLIC. Zone and interzone police.
5060-5250	FIXED.									
5250-5450		5250-5450	FIXED. LAND MOBILE.							

World wide			Region 2		United States		Federal Communications Commission				
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature (of service of stations)	
1	2	3	4	5	6	7	8	9	10	11	
5450-5480		5450-5480	AERONAUTICAL MOBILE. (R)			5450-5680	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.	
5480-5680	AERONAUTICAL MOBILE. (R)										
5680-5730	AERONAUTICAL MOBILE. (OR)					5680-5730	AERONAUTICAL MOBILE. (OR)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.	
5730-5950	FIXED.					5730-5950	FIXED.	Fixed.		AERONAUTICAL MOBILE. FIXED. (in Alaska). INTERNATIONAL. FIXED PUBLIC.	
5950-6200	BROADCASTING.					5950-6200	BROADCASTING.	International broadcasting.		International broadcasting.	
6200-6325 (211)	MARITIME MOBILE.					6200-6211	MARITIME MOBILE.	Ship.		Ship (SSB telephony).	
						6211-6240 (NG25)	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).	
						6240-6265.5 (NG25)	MARITIME MOBILE.	Ship.		Ship (telegraphy).	
						6265.5-6280.5	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).	
						6280.5-6357	MARITIME MOBILE.	Ship.		Ship (telegraphy).	
						6357-6525 (NG27)	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).	
6525-6685	AERONAUTICAL MOBILE. (R)					6525-6685	AERONAUTICAL MOBILE. (R)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.	
6685-6765	AERONAUTICAL MOBILE. (OR)					6685-6765	AERONAUTICAL MOBILE. (OR)	Aeronautical. Aircraft.		AERONAUTICAL MOBILE.	
6765-7000	FIXED.					6765-7000	FIXED.	Fixed.		AERONAUTICAL. FIXED. (in Alaska). INTERNATIONAL. FIXED PUBLIC.	
7000-7100	AMATEUR.					7000-7300	AMATEUR.	Amateur.		AMATEUR.	
7100-7300	FIXED.	7100-7300	AMATEUR.			7300-8195	FIXED.	Fixed.		AERONAUTICAL MOBILE. FIXED. (in Alaska). INTERNATIONAL. FIXED PUBLIC. Zone and interzone police.	
8195-8315	MARITIME MOBILE. (213)					8195-8265 (NG26)	MARITIME MOBILE.	Ship.		Ship (telephony).	
						8265-8273	MARITIME MOBILE.	Ship.		Ship calling (DSB telephony).	
						8273-8280	MARITIME MOBILE.	Ship.		Ship (SSB telephony).	
						8280-8320	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).	
						8320-8354	MARITIME MOBILE.	Ship.		Ship (telephony).	
						8354-8374	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).	
						8374-8476	MARITIME MOBILE.	Ship.		Ship (telegraphy).	
						8476-8745	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).	
						8745-8815	MARITIME MOBILE.	Coast.		Coast (telephony).	

World wide			Region 2		United States		Federal Communications Commission			
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Freq. (kc)	Nature (of service)
1	2	3	4	5	6	7	8	9	10	11
8815-8965	AERONAUTICAL MOBILE. (R)					8815-8965	AERONAUTICAL MOBILE. (R)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
8965-9040	AERONAUTICAL MOBILE. (OR)					8965-9040	AERONAUTICAL MOBILE. (OR)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
9040-9500	FIXED.					9040-9500	FIXED.	Fixed.		AERONAUTICAL FIXED. (FIXED in Alaska). INTERNATIONAL FIXED PUBLIC.
9500-9775	BROADCASTING.					9500-9775	BROADCASTING.	International broadcasting.		International broadcasting.
9775-9995	FIXED.					9775-9995	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
9995-10005	STANDARD FREQUENCY. (204) (214) (216)					9995-10005	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	10000	RADIO ASTRONOMY. Standard frequency.
10005-10100	AERONAUTICAL MOBILE. (R)					10005-10100	AERONAUTICAL MOBILE. (R)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
10100-11175	FIXED.					10100-11175	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
11175-11275	AERONAUTICAL MOBILE. (OR)					11175-11275	AERONAUTICAL MOBILE. (OR)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
11275-11400	AERONAUTICAL MOBILE. (R)					11275-11400	AERONAUTICAL MOBILE. (R)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
11400-11700	FIXED. (216)					11400-11700	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
11700-11975	BROADCASTING.					11700-11975	BROADCASTING.	International broadcasting.		International broadcasting.
11975-12330	FIXED.					11975-12330	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
12330-13200	MARITIME MOBILE. (213)					12330-12400	MARITIME MOBILE.	Ship.		Ship (telephony).
						12400-12407	MARITIME MOBILE.	Ship.		Ship calling (DSB telephony).
						12407-12421	MARITIME MOBILE.	Ship.		Ship (SSB telephony).
						12421-12471	MARITIME MOBILE.	Ship.		Ship (wideband telephony, facsimile and special).
						12471-12531	MARITIME MOBILE.	Ship.		Ship (telephony).
						12531-12561	MARITIME MOBILE.	Ship.		Ship calling (telephony).
						12561-12714	MARITIME MOBILE.	Ship.		Ship (telephony).
						12714-13130	MARITIME MOBILE.	Coast.		Coast (telephony and facsimile).
						13130-13200	MARITIME MOBILE.	Coast.		Coast (telephony).

World wide			Region 2		United States		Federal Communications Commission			
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature (of service of stations)
1	2	3	4	5	6	7	8	9	10	11
13200-13260	AERONAUTICAL MOBILE. (OR)					13200-13260	AERONAUTICAL MOBILE. (OR)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
13260-13360	AERONAUTICAL MOBILE. (R)					13260-13360	AERONAUTICAL MOBILE. (R)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
13360-14000 (217)	FIXED.					13360-14000	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL INDUSTRIAL, scientific and medical equipment.
14000-14350	AMATEUR. (218)					14000-14350	AMATEUR.	Amateur.		AMATEUR.
14350-14990	FIXED.					14350-14990	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
14990-15010	STANDARD FREQUENCY. (204) (219)					14990-15010	STANDARD FREQUENCY. Radio astronomy. (US74).	Radio astronomy. Standard frequency.	15000	RADIO ASTRONOMY. Standard frequency.
15010-15100	AERONAUTICAL MOBILE. (OR)					15010-15100	AERONAUTICAL MOBILE. (OR)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
15100-15450	BROADCASTING					15100-15450	BROADCASTING.	International broadcasting.		International broadcasting.
15450-16460	FIXED.					15450-16460	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
16460-17360	MARITIME MOBILE. (213)					16460-16530	MARITIME MOBILE.	Ship.		Ship (telephony).
						16530-16537	MARITIME MOBILE.	Ship.		Ship calling (DSB telephony).
						16537-16562	MARITIME MOBILE.	Ship.		Ship (SSB telephony).
						16562-16622	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).
						16622-16708	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						16708-16748	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).
						16748-16952	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						16952-17290	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).
						17290-17360	MARITIME MOBILE.	Coast.		Coast (telephony).
17360-17700	FIXED.					17360-17700	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
17700-17900	BROADCASTING.					17700-17900	BROADCASTING.	International broadcasting.		International broadcasting.
17900-17970	AERONAUTICAL MOBILE. (R)					17900-17970	AERONAUTICAL MOBILE. (R)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
17970-18030	AERONAUTICAL MOBILE. (OR)					17970-18030	AERONAUTICAL MOBILE. (OR)	Aeronautical Aircraft.		AERONAUTICAL MOBILE.
18030-19990	FIXED.					18030-19990	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.

World wide			Region 2		United States		Federal Communications Commission			
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature of service of stations
1	2	3	4	5	6	7	8	9	10	11
19980-20010	STANDARD FREQUENCY. (204) (220) (221)					19980-20010	STANDARD FREQUENCY. Earth-space. (US76) Radio astronomy. Space. (US74)	Earth. Radio astronomy. Space. Standard frequency.	10	
20010-21000	FIXED.					20010-21000	FIXED.	Fixed.	20000	Standard frequency.
21000-21450	AMATEUR.					21000-21450	AMATEUR.	Amateur.		AERONAUTICAL FIXED. INTERNATIONAL. FIXED PUBLIC.
21450-21750	BROADCASTING.					21450-21750	BROADCASTING.	International broadcasting.		AMATEUR.
21750-21850	FIXED.					21750-21850	FIXED.	Fixed.		International broadcasting.
21850-22000	AERONAUTICAL FIXED. AERONAUTICAL MOBILE. (R)					21850-22000	AERONAUTICAL FIXED. AERONAUTICAL MOBILE. (R)	Aeronautical. Aeronautical fixed. Aircraft.		AERONAUTICAL FIXED. AERONAUTICAL MOBILE.
22000-22720	MARITIME MOBILE.					22000-22720	MARITIME MOBILE.	Ship.		Ship (telephony).
						22070-22078	MARITIME MOBILE.	Ship.		Ship calling (DSB telephony).
						22078-22100	MARITIME MOBILE.	Ship.		Ship (SSB telephony).
						22100-22148	MARITIME MOBILE.	Ship.		Ship (wideband telegraphy, facsimile and special).
						22148-22220	MARITIME MOBILE.	Ship.		Ship (telephony).
						22220-22270	MARITIME MOBILE.	Ship.		Ship calling (telegraphy).
						22270-22400	MARITIME MOBILE.	Ship.		Ship (telegraphy).
						22400-22650	MARITIME MOBILE.	Coast.		Coast (telegraphy and facsimile).
						22650-22720	MARITIME MOBILE.	Coast.		Coast (telephony).
22720-23200	FIXED.					22720-23200	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL. FIXED PUBLIC.
23200-23350	AERONAUTICAL FIXED. AERONAUTICAL MOBILE. (OR)					23200-23350	AERONAUTICAL FIXED. AERONAUTICAL MOBILE. (OR)	Aeronautical. Aeronautical fixed. Aircraft.		AERONAUTICAL FIXED. AERONAUTICAL MOBILE.
23350-24990	FIXED. LAND MOBILE. (222).					23350-24990	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL. FIXED PUBLIC.

Worldwide			Region 2		United States		Federal Communications Commission			
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency (Mc)	Nature (of stations)
1	2	3	4	5	6	7	8	9	10	11
24.99-25.01	STANDARD FREQUENCY. (204) (223)	24.99-25.01	G, NG.	24.99-25.01 (US98) (US74)	STANDARD FREQUENCY. Radio astronomy.	24.99-25.01 (US98) (US74)	LAND MOBILE.	Radio astronomy. Standard frequency.	25.0	RADIO ASTRONOMY. Standard frequency.
25.01-25.07	FIXED MOBILE except aero-nautical mobile.	25.01-25.33	NG.	25.01-25.33	NG.	25.01-25.33	LAND MOBILE.	Base. Land mobile.	25.02-25.32 (NG32)	INDUSTRIAL.
25.07-25.11	MARITIME MOBILE. (224)									
25.11-25.6	FIXED MOBILE except aero-nautical mobile.	25.33-25.6	G.							
25.6-26.1	BROADCASTING.	25.6-26.1	G, NG.	25.6-26.1	G, NG.	25.6-26.1 (US25)	BROADCASTING.	International broadcasting.		International broadcasting.
26.1-27.5	FIXED MOBILE except aero-nautical mobile.	26.1-26.48	NG.	26.1-26.48	NG.	26.1-26.48	LAND MOBILE.	Base. Land mobile.	26.11-26.47 (NG32)	Remote pickup broadcast base; remote pickup broadcast mobile.
		26.48-26.95 (US10)	G.						26.62	Civil air patrol land; civil air patrol mobile.
(225) (226)		26.95-27.54	NG.	26.95-26.96	FIXED.	26.95-26.96	FIXED.	Fixed.	26.955	INTERNATIONAL FIXED PUBLIC.
				26.96-27.23 (225)	CITIZENS. (US1)	26.96-27.23 (225)	CITIZENS. (US1)	Fixed. Land. Mobile.	27.12	Industrial, scientific and medical equipment.
				27.23-27.28 (225)	FIXED. MOBILE.	27.23-27.28 (225)	FIXED. MOBILE.	Fixed. Land. Mobile.		
				27.28-27.54	LAND MOBILE.	27.28-27.54	LAND MOBILE.	Base. Land mobile.	27.29-27.53 (NG32)	INDUSTRIAL.
27.5-28.00	METEOROLOGICAL AIDS. FIXED. MOBILE.	27.5-28.00	G.							
28.00-29.7	AMATEUR.	28.0-29.7	AMATEUR. (US1)	28.0-29.7	AMATEUR. (US1)	28.0-29.7	AMATEUR.	Amateur.		AMATEUR.
29.7-41 (230) (231) (232) (235)	FIXED. (228) (229) MOBILE.	29.7-29.89	NG.	29.7-29.89	NG.	29.7-29.89	LAND MOBILE.	Base. Land mobile.	29.71-29.79 (NG32)	INDUSTRIAL.
		29.89-29.91 (232)	G.			29.8-29.89 (232)	FIXED.	Fixed.	29.81-29.88 (NG31)	AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
		29.91-30	NG.	29.91-30	NG.	29.91-30 (232)	FIXED.	Fixed.	29.92-29.99 (NG31)	AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
		30-30.56	G.			30.56-32	LAND MOBILE.	Base. Land mobile.	30.58-30.62	INDUSTRIAL. Do.
		30.56-32	NG.						30.62-30.82 (NG33)	INDUSTRIAL. LAND TRANSPORTATION.

Worldwide			Region 2			United States			Federal Communications Commission			
Band (Mc)	Service		Band (Mc)	Service		Band (Mc)	Allocation		Band (Mc)	Service	Class of station	Frequency (Mc)
1	2		3	4		5	6		7	8	9	10
												11
												LAND TRANSPORTATION. PUBLIC SAFETY.
												PUBLIC SAFETY.
												PUBLIC SAFETY. Do. Do.
												INDUSTRIAL.
												PUBLIC SAFETY.
												INDUSTRIAL.
												INDUSTRIAL.
												DOMESTIC PUBLIC.
												INDUSTRIAL.
												PUBLIC SAFETY.
												INDUSTRIAL.
												PUBLIC SAFETY. Do. Do.
												PUBLIC SAFETY.
												RADIO ASTRONOMY. Industrial, scientific and medical equipment.
												PUBLIC SAFETY.
												INDUSTRIAL.
												DOMESTIC PUBLIC.
(236)												
41-50			41-50	FIXED. (228) (230) (237) MOBILE.								

Worldwide			Region 2		United States		Federal Communications Commission						
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency (Mc)	Nature of stations			
1	2	3	4	5	6	7	8	9	10	11			
						43.68-44.61	LAND MOBILE.	Base. Land mobile.		LAND TRANSPORTATION.			
					G.	44.61-46.6	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.			
				46.6-47		47-47.43	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.			
				47-49.6	NG.	47.43-47.69	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY. INDUSTRIAL.			
						47.69-49.6	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.			
					G.		AMATEUR.	Amateur.		AMATEUR.			
50-54		50-54	AMATEUR.	50-54	AMATEUR. (US1)	54-72	BROADCASTING.	Television broadcasting.	55.25 59.75 61.25 63.75 67.25 71.75	Video } Channel 2. Sound } Video } Channel 3. Sound } Video } Channel 4. Sound }			
54-68		54-68	FIXED. (228) (237) MOBILE. BROADCASTING.	54-72 (US24)	NG.	72-73	FIXED. (NG1) (NG3)	Operational fixed.	72.02- 72.98 (NG33)	Operational fixed.			
68-74.6		68-74.6	FIXED. MOBILE. BROADCASTING.	72-73 (US30)	NG.	73-74.6	RADIO ASTRONOMY.	Radio astronomy.		RADIO ASTRONOMY.			
		(253)		73-74.6 (US21) (US74)	G, NG.	74.6-75.4	AERONAUTICAL RADIONAVIGATION.	Aeronautical radionavigation.	75	Marker beacon			
74.6-75.4		74.6-75.4 (259)	AERONAUTICAL RADIONAVIGATION.	74.6-75.4	G, NG.	75.4-76	FIXED. (NG1) (NG3)	Operational fixed.	75.42- 75.98 (NG33)	Operational fixed.			
75.4-88		75.4-88	FIXED MOBILE. BROADCASTING.	75.4-76 (US20)	NG.	76-88 (NG21)	BROADCASTING.	Television broadcasting.	77.25 81.75 83.25 87.75	Video } Channel 5. Sound } Video } Channel 6. Sound }			
				76-88 (US23)	NG.	88-108 (NG21)	BROADCASTING.	FM broadcasting. (NG2).	88.1- 107.9 (NG36)	FM Channel 201. FM Channel 300.			
88-100		88-100	BROADCASTING.	88-108 (US23)	NG.	108-117.975	AERONAUTICAL RADIONAVIGATION.	Radionavigation land.	108.1 108.2 108.3 111.8 111.9	Localizer. Omni-directional range. Localizer. Omni-directional range. Localizer.			
100-108		100-108	BROADCASTING.										
108-117.975			AERONAUTICAL RADIONAVIGATION.	108-117.975	G, NG.				112.0- 117.9 (NG35)	Omni-directional range.			

Worldwide			Region 2		United States		Federal Communications Commission				
Band (Mc)	Service		Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency (Mc)	Nature of services of stations
1	2		3	4	5	6	7	8	9	10	11
117.975-132	AERONAUTICAL MOBILE, (R) (273)				117.975-121.975 (US96) (US97) (US28)	G, NG.	117.975-121.975	AERONAUTICAL MOBILE, (R)	Aeronautical. Aircraft.	118-121.4 (NG34)	Airdrome control.
										121.5	AERONAUTICAL MOBILE.
										121.6	Aeronautical search and rescue mobile; aeronautical utility land; aeronautical utility mobile.
										121.65-121.95 (NG34)	Aeronautical utility land; aeronautical utility mobile.
					121.975-123.075 (US29) (US30) (US31)	NG.	121.975-123.075	AERONAUTICAL MOBILE.	Aeronautical. Aircraft.	122.0-123.05 (NG34)	Private aircraft.
					123.075-123.825 (US32) (US33)	G, NG.	123.075-123.825	AERONAUTICAL MOBILE.	Aeronautical. Aircraft.	123.1-123.15 123.2 123.25 123.3 123.35 123.4 123.45 123.5 123.55	Flight test; flying school. Flight test. Do. Do. Flight test; flying school. Flight test. Do. Do. Flight test; flying school. Flight test.
										123.6-123.8 (NG34)	AERONAUTICAL MOBILE.
132-136			132-136	FIXED MOBILE, (276)	123.825-132 (US2)	NG.	123.825-132	AERONAUTICAL MOBILE, (R)	Aeronautical. Aircraft.	123.85-132 (NG34)	AERONAUTICAL MOBILE.
					132-135 (US3) (US4)	G, NG.	132-135	AERONAUTICAL MOBILE.	Aeronautical. Aircraft.	132.05-134.95 (NG34)	AERONAUTICAL MOBILE.
					135-136 (US4)	G.					
136-137	SPACE. (280) FIXED MOBILE. EARTH-SPACE. (280) (281)				136-137 (US60) (US64) (US76)	G, NG.	136-137	EARTH-SPACE. SPACE.	Earth. SPACE.		EARTH-SPACE. SPACE.
137-144			137-144	FIXED MOBILE. Radiolocation.	137-144 (US10)	G.				143.91	Civil air patrol land; civil air patrol mobile.
144-146	AMATEUR.				144-148	AMATEUR. (US1)	144-148	AMATEUR.	Amateur.		AMATEUR.
146-148			146-148	AMATEUR.							

Worldwide			Region 2		United States		Federal Communications Commission				
Band (Mc)	Service		Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Freq- quency (Mc)	Nature (OF SERVICES of stations)
1	2		3	4	5	6	7	8	9	10	II
148-174			148-174	FIXED. MOBILE.	148-150.8 (US10)	G.				148.14	Civil air patrol land; civil air patrol mobile.
					150.8-162	NG.	150.8-150.98	LAND MOBILE.	Base, Land mobile.		LAND TRANSPORTATION.
							150.98- 151.49	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.
							151.49-152	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.
							152-152.24	LAND MOBILE.	Base, Land mobile.		DOMESTIC PUBLIC.
							152.24- 152.48 (NG38)	LAND MOBILE.	Base, Land mobile.		LAND TRANSPORTATION.
							152.48- 152.84	LAND MOBILE.	Base, Land mobile.		DOMESTIC PUBLIC.
							152.84- 153.7325	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL. (NG4)
							153.7325- 154.46	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY. (NG26)
							154.46- 154.6275	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.
							154.6275- 156.25	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.
							156.25- 157.45 (NG5) (US77)	MARITIME MOBILE.	Coast. Ship.	156.3 156.35	MARITIME MOBILE. MARITIME MOBILE.
										156.4 156.45	MARITIME MOBILE. MARITIME MOBILE.
										156.5 156.55	MARITIME MOBILE. MARITIME MOBILE.
										156.6 156.65	MARITIME MOBILE. Do.
										156.7 156.8	Do. MARITIME MOBILE (calling & safety).
					(287)					156.9 156.95 157.0	Do. MARITIME MOBILE. Do.
					(US9)					157.05 157.1 157.15	GOVERNMENT. Do. Do.
										157.2- 157.4 (NG 34)	MARITIME MOBILE.
							157.45- 157.74 (NG5) (NG38)	LAND MOBILE.	Base, Land mobile.		LAND TRANSPORTATION.
							157.74- 158.1	LAND MOBILE.	Base, Land mobile.		DOMESTIC PUBLIC.
							158.1- 158.46	LAND MOBILE.	Base, Land mobile.		INDUSTRIAL.
							158.46- 158.7	LAND MOBILE.	Base, Land mobile.		DOMESTIC PUBLIC.

(1287)

Worldwide				Region 2		United States		Federal Communications Commission			
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency (Mc)	Nature of services of stations	
1	2	3	4	5	6	7	8	9	10	11	
						158.7-159.48	LAND MOBILE.	Base, Land mobile.		PUBLIC SAFETY.	
						159.48-161.575	LAND MOBILE.	Base, Land mobile.		LAND TRANSPORTATION. (NG 6) (NG 26) (NG 28)	
						161.575-161.625 (US77)	MARITIME MOBILE.	Coast.	161.6	MARITIME MOBILE. (NG 6) (NG 26)	
						161.625-161.775	LAND MOBILE.	Base, Land mobile.		Remote pickup broadcast base; remote pickup broadcast mobile. (NG 6)	
				(US12)		161.775-162.0 (NG5)	MARITIME MOBILE.	Coast.	161.8 161.85 161.9 161.95 162.0	Coast. (NG26) (NG37) Do. Coast. Do. Do.	
				162-174 (US8) (US11) (US12) (US13)	G.				166.25 170.15	PUBLIC SAFETY; Remote pickup. Do.	
				(US9)		173.2-173.4	FIXED LAND MOBILE.	Base, Fixed, Land mobile.		INDUSTRIAL.	
174-216 (294).		174-216	FIXED, MOBILE, BROADCASTING.	174-216	NG.	174-216	BROADCASTING.	Television broadcasting.	175.25 176.75 179.75 181.25 185.75 187.25 191.75 193.25 197.75 199.25 203.75 205.25 209.75 211.25 215.75	Video Channel 7. Sound Video Channel 8. Sound Video Channel 9. Sound Video Channel 10. Sound Video Channel 11. Sound Video Channel 12. Sound Video Channel 13.	
216-220		216-220	FIXED, MOBILE, RADIOLOCATION.	216-220 (US6)	G.				217.425 217.475 217.525 217.550 217.575 217.625 217.675 219.325 219.375 219.425 219.450 219.475 219.525 219.575	Telemetering land; telemetering mobile. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do. Do.	

Worldwide			Region 2		United States		Federal Communications Commission				
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency (Mc)	Nature (of services of stations)	
1	2	3	4	5	6	7	8	9	10	11	
220-225		220-225	AMATEUR, RADIOLOCATION.	220-225	G, NG. (US34)	220-225 (NG13)	Amateur.	Amateur.		AMATEUR.	
225-235		225-235	FIXED, MOBILE.	225-328.6 (309) (310) (US17)	G.						
235-328.6 (309) (310)	FIXED, MOBILE.										
328.6-335.4 (310)	AERONAUTICAL RADIONAVIGATION. (311)			328.6-335.4 (310) (311)	G, NG.	328.6-335.4	AERONAUTICAL RADIONAVIGATION.	Radionavigation land.	243	Survival craft and equipment.	
335.4-400	FIXED, MOBILE.			335.4-400	G.					Glide path.	
400-401	METEOROLOGICAL AIDS. (280) EARTH-SPACE. (280)			400-401	G, NG.	400-401 (US64) (US70) (US76)	EARTH-SPACE. METEOROLOGICAL AIDS. SPACE.	Earth. Radiosonde. Space.		EARTH-SPACE. SPACE. Radiosonde.	
401-406 (317)	METEOROLOGICAL AIDS.			401-404 (US70)	G, NG.	401-404	METEOROLOGICAL AIDS.	Radiosonde.		Radiosonde.	
	Fixed. Mobile except aeronautical mobile.			404-406 (US70) (US74)	G, NG.	404-406	METEOROLOGICAL AIDS. Radio astronomy.	Radio astronomy. Radiosonde.		RADIO ASTRONOMY. Radiosonde.	
406-420 (317)	FIXED, MOBILE except aeronautical mobile.			406-420 (US13)	G.						
420-450		420-450 (318)	RADIOLOCATION. Amateur.	420-450 (US6) (US9) (US17) (US35)	G, NG.	420-450	Amateur.	Amateur.		AMATEUR.	
				450-470 (US6)	NG.	450-451	LAND MOBILE.	Base. Land mobile.		Remote pickup broadcast base; remote pickup broadcast mobile.	
						451-452	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.	
						452-453	LAND MOBILE.	Base. Land mobile.		LAND TRANSPORTATION.	
						453-454	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.	
						454-455 (NG12)	LAND MOBILE.	Base. Land mobile.		DOMESTIC PUBLIC.	
						455-456	LAND MOBILE.	Base. Land mobile.		Remote pickup broadcast base; remote pickup broadcast mobile.	
						456-457	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.	
						457-458	LAND MOBILE.	Base. Land mobile.		LAND TRANSPORTATION.	
						458-459	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.	
						459-460 (NG12)	LAND MOBILE.	Base. Land mobile.		DOMESTIC PUBLIC.	

Worldwide			Region 2		United States		Federal Communications Commission			
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency (Mc)	Nature (of stations)
1	2	3	4	5	6	7	8	9	10	11
						460-462.525	LAND MOBILE.	Base Land mobile.		INDUSTRIAL.
						462.525-463.225	FIXED MOBILE.	Fixed Land Mobile.		CITIZENS.
						463.225-464.725	LAND MOBILE.	Base Land mobile.		INDUSTRIAL CITIZENS.
						464.725-466.475	FIXED MOBILE.	Fixed Land Mobile.		CITIZENS.
						466.475-470	LAND MOBILE.	Base Land mobile.		INDUSTRIAL CITIZENS. (NG39)
470-890		470-890	BROADCASTING.	470-890	NG.	470-890 (NG30)	BROADCASTING.	Television broadcasting.		
890-942		890-942 (340)	FIXED RADIOLOCATION.	890-942 (340) (US36)	G.				915	Industrial, scientific, and medical equipment.
942-960		942-960	FIXED.	942-960	NG.	942-962 (NG8) (NG40)	FIXED.	AM broadcast, STL (NG 9) International aeronautical fixed (Alaska, Hawaii, and U.S. possessions only). International fixed public (Alaska, Hawaii, and U.S. possessions only). Television STL (audio only).		
						962-960 (NG10)	FIXED.	International fixed public (Puerto Rico and Virgin Islands only). International control. Operational fixed.		
960-1215	AERONAUTICAL RADIONAVIGATION. (341) Amateur.			960-1215	G, NG. (341)	960-1215	AERONAUTICAL RADIONAVIGATION.			
1215-1300	RADIOLOCATION. Amateur.			1215-1300	G, NG. (US37)	1215-1300	Amateur.	Amateur.		AMATEUR.
1300-1350	AERONAUTICAL RADIONAVIGATION. (346) Radiolocation.			1300-1350	G, NG. (US38)	1300-1350	AERONAUTICAL RADIONAVIGATION.			
1350-1400		1350-1400	RADIOLOCATION.		G.					
1400-1427	RADIO ASTRONOMY.			1400-1427	G, NG. (US74)	1400-1427	RADIO ASTRONOMY.			
1427-1429	SPACE. (280) FIXED MOBILE except aeronautical mobile. EARTH-SPACE. (280)			1427-1429	G, NG. (US60) (US73) (US76)	1427-1429	EARTH-SPACE. SPACE.			
1429-1435		1429-1435	FIXED MOBILE.	1429-1435	G.					
1435-1535		1435-1535	MOBILE. Fixed.	1435-1535	G, NG. (US78)	1435-1535	MOBILE.	Aeronautical telemetering.		AVIATION.

Worldwide			Region 2		United States		Federal Communications Commission				
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Freq- uency (Mc)	Nature (OF SERVICES of stations	
1	2	3	4	5	6	7	8	9	10	11	
1535-1660	AERONAUTICAL RADIONAVIGA- TION. (341)			1535-1660	G. NG. (341) (US39)	1535-1660	AERONAUTICAL RADIONAVIGATION.				
1660-1700	METEOROLOGI- CAL AIDS. FIXED. MOBILE except aero- nautical mobile.			1660-1670	G.						
1700-1710		1700-1710	FIXED. MOBILE. Space. (280) Earth-Space. (280)	1670-1700	G. NG.	1670-1700	METEOROLOGICAL AIDS.	Radiosonde.		Radiosonde.	
1710-2200		1710-2200	FIXED MOBILE.	1710-1850	G.						
				1850-2200	NG.	1850-1900 (NG8)	FIXED.	International control. Operational fixed.			
2200-2300		2200-2300	FIXED MOBILE. Space. (280). Earth-Space. (280).	2200-2300	G. NG. (US60) (US63) (US76)	1900-2110 (NG11)	FIXED. MOBILE.	Television pickup. Television STL.			
2300-2450 (357)		2300-2450	RADIOLOCATION. Amateur. Fixed. Mobile.	2300-2450	G. NG. (357) (US40)	2110-2200 (NG8) (NG23)	FIXED.	Domestic fixed public. International control. Operational fixed.			
2450-2550 (357)		2450-2550	FIXED MOBILE. RADIOLOCATION.	2450-2500	NG. (357) (US41)		Amateur.	Amateur.	2450	Industrial, scientific and medical equipment.	
2550-2700 (365)	FIXED. MOBILE.			2500-2600	NG.	2500-2600 (NG8)	FIXED.	International control. Operational fixed.			
2700-2900 (366)	AERONAUTICAL RADIONAVIGA- TION. (346). Radiolocation.			2600-2700	G. NG. (US22) (US74)	2600-2700	RADIO ASTRONOMY.				
2900-3100	RADIONAVIGA- TION. (367). Radiolocation.			2700-2900	G. (346) (366) (US42) (US43)	2900-3100	MARITIME RADIONAVIGATION. Radiolocation.				
3100-3300 (366)	RADIOLOCATION.			2900-3100	G. NG. (US44)						
3300-3500		3300-3500	RADIOLOCATION. Amateur.	3100-3300	G. (366) (US45) (US46)	3300-3500	Amateur.	Amateur.		AMATEUR.	
3500-3700		3500-3700	FIXED. MOBILE. RADIOLOCATION.	3300-3500	G. NG. (US61)	3500-3700	G.				

Worldwide			Region 2		United States		Federal Communications Commission			
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency (Mc)	Nature (of services of stations)
1	2	3	4	5	6	7	8	9	10	11
3700-4200		3700-4200	FIXED. MOBILE.	3700-4200	NG.	3700-4200	FIXED.	Common carrier fixed.	10	DOMESTIC PUBLIC. (NG41)
4200-4400	AERONAUTICAL. RADIONAVIGATION. (341)			4200-4400	G, NG. (341) (US47)	4200-4400	AERONAUTICAL. RADIONAVIGATION.	Altimeter.		
4400-5000 (365)	FIXED. MOBILE.			4400-4900	G.					
				4990-5000	G, NG. (US68) (US74)	4990-5000	RADIO ASTRONOMY.	Radio astronomy.		
5000-5250	AERONAUTICAL. RADIONAVIGATION. (341)			5000-5250	G, NG. (341)	5000-5250	AERONAUTICAL. RADIONAVIGATION.			
5250-5255	RADIOLOCATION. Space. (280) Earth-space. (280)			5250-5350	G.					
5255-5350	RADIOLOCATION.									
5350-5400	AERONAUTICAL. RADIONAVIGATION. (335) Radiolocation.			5350-5400	G, NG. (335) (US48)	5350-5400	AERONAUTICAL. RADIONAVIGATION. RADIOLOCATION.			
5400-5470	RADIONAVIGATION. (335) Radiolocation.			5460-5470	G, NG. (US49) (US65)	5400-5470	RADIONAVIGATION. Radiolocation.			
5470-5650 (337)	MARITIME RADIO. NAVIGATION. Radiolocation.			5470-5600	G, NG. (US50) (US65)	5470-5600	MARITIME RADIONAVIGATION. Radiolocation.			
				5600-5650	G, NG. (337) (US51) (US65)	5600-5650	MARITIME RADIONAVIGATION. METEOROLOGICAL AIDS. Radiolocation.			
5650-5850 (391)	RADIOLOCATION. Amateur.			5650-5925	G, NG. (391) (US52)	5650-5925	Amateur.	Amateur.	5800	Industrial, scientific and medical equipment.
5850-5925 (391)		5850-5925	RADIOLOCATION. Amateur.							
5925-8400	FIXED. MOBILE.			5925-7125	NG.	5925-6425	FIXED.	Common carrier fixed.		DOMESTIC PUBLIC. (NG41)
						6425-6575	MOBILE.	Land. (NG7) MOBILE (except television pickup).		
						6575-6875 (NG8)	FIXED.	International control. Operational fixed.		
						6875-7125	FIXED. MOBILE.	Television pickup. Television STL. (NG11)		
8400-8500	FIXED. MOBILE. Space. (280) Earth-space. (280)			7125-8400	G.					
				8400-8500	G, NG. (US62) (US63) (US67) (US76)	8400-8500	EARTH-SPACE. FIXED. MOBILE. SPACE.			

Worldwide			Region 2		United States		Federal Communications Commission			
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Freq- quency (Mc)	Nature (of service of stations)
1	2	3	4	5	6	7	8	9	10	11
8500-8750	RADIOLOCATION.			8500-9000	G. (US63)					Airborne doppler radar.
8750-8850	RADIOLOCATION. AERONAUTICAL RADIONAVIGATION. (386)									
8850-9000	RADIOLOCATION.									
9000-9200	AERONAUTICAL RADIONAVIGATION. (386)			9000-9200	G. N.G. (US64) (US65)	9000-9200	AERONAUTICAL RADIONAVIGATION. Radiolocation.		8800	
9200-9300	RADIOLOCATION.			9200-9300	G. (US45)					
9300-9500 (389)	RADIONAVIGATION. Radiolocation.			9300-9500	G. N.G. (US66) (US67) (US71)	9300-9500	RADIONAVIGATION. Meteorological aids. Radiolocation.			
9500-9800	RADIOLOCATION.			9500-10000	G. (US67)					
9800-10000	RADIOLOCATION. Fixed.									
10000-10500	RADIOLOCATION. Amateur.			10000-10500	G. N.G. (US68)	10000-10500	Amateur. Radiolocation. (NG42)	Amateur. Radiolocation land. Radiolocation mobile.		AMATEUR. RADIOLOCATION.
10500-10550		10500-10550 (404)	RADIOLOCATION.	10500-10550	G. N.G. (US69)	10500-10550	RADIOLOCATION.			RADIOLOCATION.
10550-10700 (405)	FIXED MOBILE. Radiolocation.			10550-10680	NG.	10550-10680	FIXED MOBILE.			
10700-11700	FIXED MOBILE.			10680-10700	G. N.G. (US74)	10680-10700	RADIO ASTRONOMY.			
11700-12700	FIXED. MOBILE except aero- nautical mobile. BROADCASTING.			10700-11700	NG.	10700-11700	FIXED.	Common carrier fixed.		DOMESTIC PUBLIC. (NG41)
12700-13250	FIXED. MOBILE.			11700-13250	NG.	11700-12200	MOBILE.	Land. (NG7) Mobile (except television pickup).		
						12200-12700 (NG8)	FIXED.	International control. Operational fixed.		
						12700-13200	FIXED. MOBILE.	Television pickup. Television. STL (NG11)		
						13200-13250	FIXED. MOBILE.			Airborne doppler radar.
13250-13400	AERONAUTICAL RADIONAVIGATION. (406)			13250-13400	G. N.G. (406)	13250-13400	AERONAUTICAL RADIONAVIGATION.			
13400-14000	RADIOLOCATION.			13400-14000	G.					
14000-14400	RADIONAVIGATION. MOBILE.			14000-14400	G. N.G.	14000-14400	RADIONAVIGATION.			
14400-15150	FIXED. MOBILE.			14400-15150	G.					
15150-15250	SPACE. (280) EARTH-SPACE. Fixed. Radiation.			15150-15250	G. N.G. (US60) (US61) (US62) (US63) (US64) (US65) (US66) (US67) (US68) (US69) (US70) (US71) (US72) (US73) (US74) (US75) (US76) (US77) (US78) (US79) (US80) (US81) (US82) (US83) (US84) (US85) (US86) (US87) (US88) (US89) (US90) (US91) (US92) (US93) (US94) (US95) (US96) (US97) (US98) (US99) (US100)	15150-15250	EARTH-SPACE. SPACE.			

Worldwide			Region 2		United States		Federal Communications Commission			
Band (Mc)	Service	Band (Mc)	Service	Band (Mc)	Allocation	Band (Mc)	Service	Class of station	Frequency (Mc)	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
15250-15400 (405)	FIXED MOBILE.			15250-15350 G.		15350-15400	RADIO ASTRONOMY.			
15400-15700	AERONAUTICAL RADIONAVIGATION. (341)			15350-15400 G. NG. (US68) (US74)		15400-15700	AERONAUTICAL RADIONAVIGATION.			
15700-17700	RADIOLOCATION.			15400-15700 G. NG. (341)						
17700-21000 (405)	FIXED MOBILE.			15700-17700 G.		17700-19300	FIXED MOBILE.			
				17700-19300 NG.		19300-19400	RADIO ASTRONOMY.			
				19300-19400 G. NG. (US74)		19400-19700	FIXED MOBILE.			
				19400-19700 NG.						
21000-22000	AMATEUR.			19700-21000 G.		21000-22000	AMATEUR.	Amateur.	22125	AMATEUR.
22000-23000 (410)	FIXED MOBILE.			21000-22000 AMATEUR.						Industrial, scientific and medical equipment.
23000-24250	RADIOLOCATION.			22000-23000 G. (410)						
24250-25250	RADIONAVIGATION. (411)			23000-24250 G.		24250-25250	RADIONAVIGATION.			
25250-31500 (405)	FIXED MOBILE.			24250-25250 G. NG. (411) (US72)						
				25250-27525 G.						
				27525-31300 NG.		27525-31300	FIXED MOBILE.			
				31300-31500 G. NG. (US74).		31300-31500	RADIO ASTRONOMY.			
31500-31800	SPACE. (280) EARTH-SPACE. (280) Fixed. Mobile.			31500-31800 G. NG. (US60) (US63) (US76)		31500-31800	EARTH-SPACE.			
31800-33400	RADIONAVIGATION.			31800-33400 G. NG. (US69)		31800-33400	RADIONAVIGATION.			
33400-36000	RADIOLOCATION.			33400-36000 G.						
36000-40000	FIXED MOBILE.			36000-38600 G.		38600-40000	FIXED MOBILE.			
Above 40000	Not allocated.			38600-40000 NG.				Amateur. Experimental.		
				Above 40000 G. NG.						

FOOTNOTES

GENEVA FOOTNOTES

(157) Administrations authorizing the use of frequencies below 10 kc for special national purposes shall ensure that no harmful interference is caused thereby to the services to which the bands above 10 kc are allocated (see also Article 14, No. 699).

(158) Limited to coast telegraph stations (A1 and F1 only).

(159) The stations of services to which the bands between 14 and 70 kc are allocated may transmit standard frequency and time signals. Such stations shall be afforded protection from harmful interference. In Albania, Bulgaria, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., the frequencies 25 kc and 50 kc will be used for this purpose under the same conditions.

(160) The standard frequency is 20 kc.

(161) In the U.S.S.R., frequencies in the band 60-80 kc may be used for industrial,

scientific and medical purposes subject to the condition that interference is not caused to stations of services to which this band is allocated.

(162) Limited to continuous wave systems.

(164) The establishment and operation of maritime radionavigation stations shall be subject to agreements between administrations whose services, operating in accordance with the Table, may be affected. However, the fixed, maritime mobile and radiolocation services shall not cause harmful interference

to maritime radionavigation stations established under such agreements.

(166) The development and operation of long distance radionavigation systems are authorized in this band, which will become exclusively allocated, wholly or in part, to the radionavigation service for the use of any one such system as soon as it is internationally adopted. Other considerations being equal, preference should be given to the system requiring the minimum bandwidth for world-wide service and causing the

least harmful interference to other services. If a pulse radionavigation system is employed, the pulse emissions shall nevertheless be confined within the band 90-110 kc and shall not cause harmful interference outside the band to stations operating in accordance with the Regulations. In Region 1 and 3, during the period prior to the international adoption of any long distance radionavigation system, the operation of specific radionavigation stations shall be subject to agreements between administrations whose services, operating in accordance with the Table, may be affected. Once established under such agreements radionavigation stations shall be protected from harmful interference.

(167) Only classes A1 or F1, A4 or F4 emissions are authorized in the band 90-160 kc for stations of the fixed and maritime mobile services.

(168) Aeronautical stations may use frequencies in the bands 110-112 kc, 115-126 kc and 129-130 kc on a permitted basis for high-speed communications to aircraft.

(171) The frequency 143 kc is the calling frequency for stations in the maritime mobile service using the band 90-160 kc. The conditions for its use are prescribed in Article 32.

(179) In northern areas which are subject to auroral disturbances the aeronautical fixed service is the primary service.

(181) Norwegian fixed stations situated in northern areas subject to auroral disturbances are allowed to continue operation on two frequencies in the band 385-395 kc for transmissions chiefly composed of weather messages.

(185) In the European Maritime Area, subject to the conditions specified in the Final Acts of the European Maritime Conference (Copenhagen 1948), and any subsequent revision of that agreement, the administrations concerned may keep in the bands 415-485 kc and 515-525 kc such of the following broadcasting stations as will not cause harmful interference to the maritime mobile service: Hamar, Innsbruck, Oestersund, Oulu.

(186) Limited to radiotelegraphy.

(187) The frequency 500 kc is the international distress and calling frequency for radiotelegraphy. The conditions for its use are prescribed in Article 32.

(188) In operating stations of the aeronautical radionavigation service, the administrations concerned shall take all the technical steps necessary to avoid harmful interference to the maritime mobile service.

(191) The carrier power of broadcasting stations in this band shall not exceed 250 watts.

(198) In Region 2 the Loran system has priority. Other services to which the band is allocated may use any frequency in this band provided that they do not cause harmful interference to the Loran system.

In Region 3 the Loran system in any particular area operates either on 1850 or 1950 kc, the bands occupied being 1825-1875 kc and 1925-1975 kc respectively. Other services to which the band 1800-2000 kc is allocated may use any frequency therein on condition that no harmful interference is caused to the Loran system operating on 1850 or 1950 kc.

(200) In Region 2, limited to ship stations using radiotelegraphy.

(201) The frequency 2182 kc is the international distress and calling frequency for radiotelephony. The conditions for the use of this frequency are prescribed in Article 35.

(202) For the conditions of use of this band by the broadcasting service see Nos. 135, 136, and 423 to 428.

(203) Standard frequency is 2500 kc.

(204) The standard frequency guard-bands at 2.5 Mc, 5 Mc, 10 Mc, 15 Mc, 20 Mc, and 25 Mc may be used by the radio astronomy service. The radio astronomy service shall be protected from harmful inter-

ference from services operating in other bands in accordance with the provisions of these Regulations, only to the extent that these services are protected from each other.

(208) In the U.S.S.R., in the bands 4063-4133 kc and 4408-4438 kc, fixed stations of limited power may operate provided that, in order to minimize the possibility of causing harmful interference to the maritime mobile service, they are situated at least 600 km from the coast. A limited power station is one whose power and antenna characteristics are so adjusted that the field strength established at any point in any direction does not exceed that obtainable with a nondirectional antenna and a peak envelope power of 1 kw.

(209) On condition that harmful interference is not caused to the maritime mobile service, the frequencies between 4063 and 4438 kc may be used exceptionally by fixed stations communicating only within the boundary of the country in which they are located, with a mean power not exceeding 50 watts; however, in Regions 2 and 3, between 4238 and 4368 kc, a mean power not exceeding 500 watts may be used by such fixed stations.

(210) The standard frequency is 5000 kc.

(211) On condition that harmful interference is not caused to the maritime mobile service, the frequencies between 6200 and 6525 kc may be used exceptionally by fixed stations, communicating only within the boundary of the country in which they are located, with a mean power not exceeding 50 watts. At the time of notification of these frequencies, the attention of the International Frequency Registration Board will be drawn to the above conditions.

(213) Between 8615 and 8815 kc, 12,925 and 13,200 kc, and between 17,160 and 17,360 kc, the U.S.S.R. will meet their special requirements for the fixed service with due regard to technical provisions (power, location, antenna, etc.) with a view to minimizing the possibility of harmful interference to the maritime mobile service. Coast stations in the maritime mobile service will also have due regard to technical provisions (power, location, antenna, etc.) with a view to minimizing the possibility of harmful interference to the fixed service in the U.S.S.R. The International Frequency Registration Board will be consulted regarding this subject.

(214) The standard frequency is 10,000 kc.

(215) The band 10,003-10,005 kc is also allocated, on a secondary basis, to the space and earth-space services for research purposes.

(216) In the U.S.S.R., the band 11,400-11,450 kc is also allocated to the aeronautical mobile (OR) service.

(217) The frequency 13,560 kc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 0.05 percent of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(218) In the U.S.S.R., the band 14,250-14,350 kc is also allocated to the fixed service.

(219) The standard frequency is 15,000 kc.

(220) The standard frequency is 20,000 kc.

(221) The band 19,990-20,010 kc is also allocated, on a secondary basis, to the space and earth-space services for research purposes.

(222) Intership radiotelegraphy may be used in the maritime mobile service between the frequencies 23,350 and 24,000 kc.

(223) The standard frequency is 25,000 kc.

(224) Limited to ship stations employing A1 or F1 emissions.

(225) The frequency 27,120 kc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 0.6 percent of that fre-

quency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(226) In Region 2, Australia and New Zealand, the amateur service may operate between the frequencies 26,960 and 27,230 kc.

(228) Stations designed to use ionospheric scatter may operate only subject to agreements between administrations concerned and those whose services, operating in accordance with the Table, may be affected.

(229) Systems designed to use ionospheric scatter or other fixed service systems designed to operate over distances exceeding 800 km shall confine their emissions to the following bands:

Region 1	Region 2	Region 3
32.6-33	32.6-33	32.6-33
36.2-36.6	34.6-35	34.6-35
39-39.4	36.4-36.8	36.4-36.8

and shall have priority in Region 2 in the bands shown above for such use in that Region.

(230) In the case of the bands referred to in No. 229, which are limited to a particular Region the provisions of No. 117 shall apply and administrations shall avoid beaming such transmissions towards another Region unless specifically coordinated otherwise.

(231) Ionospheric scatter stations, existing on 1 January 1960, and not causing harmful interference to the other services to which the band is allocated, may continue to operate on frequencies now assigned until re-accommodated.

(232) Conventional (F2) long distance fixed service use of the band 29.7-30 Mc is not excluded in Region 2 provided that such use is coordinated between the administrations concerned.

(234) As regards the use of the frequencies 38 Mc and 40.68 Mc by the radio astronomy service, see Recommendation No. 31.

(235) The band 39.986-40.002 Mc is also allocated, on a secondary basis, to the space and earth-space services for research purposes.

(236) The frequency 40.68 Mc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 0.05 percent of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(237) Systems designed to use ionospheric scatter which may cause harmful interference to the broadcasting service are prohibited.

(253) In Region 2, the band 73-74.6 Mc may be used by the radio astronomy service. Administrations assigning frequencies to stations of services to which this band is allocated should take all practicable measures to avoid harmful interference to radio astronomy observations.

(259) The frequency 75 Mc is assigned to aeronautical marker beacons. Administrations shall refrain from assigning frequencies close to the limits of the guard-bands to stations of other services which, because of their power or geographical position, might cause harmful interference to marker beacons.

(273) The frequency 121.5 Mc is the aeronautical emergency frequency in this band; mobile stations of the maritime mobile service may communicate on this frequency for safety purposes with stations of the aeronautical mobile service.

(276) In Region 2 in the band 132-135 Mc, the aeronautical mobile (R) service shall operate on a primary basis subject to co-

ordination between administrations concerned and those having services operating in accordance with the Table, which may be affected.

(280) For research purposes.

(281) In the band 136-137 Mc, the aeronautical mobile (OR) service will be the primary service for as long as it continues to operate in this band. On discontinuation of this service, the space and earth-space services will be the primary services. In Bulgaria, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., this band is allocated on a primary basis to the aeronautical mobile service.

(287) The frequency 156.8 Mc is the international safety and calling frequency for the maritime mobile VHF radiotelephone service. Administrations shall ensure that a guard-band of 75 kc on each side of the frequency 156.8 Mc is provided. The conditions for the use of this frequency are contained in Article 35.

In the bands, 156.025-157.425 Mc, 160.625-160.975 Mc and 161.475-162.025 Mc, each administration shall give priority to the maritime mobile service on only such frequencies as are assigned to stations of the maritime mobile service by that administration (see Article 35).

(294) The band 183.6 Mc ± 0.5 Mc is also allocated to the space and earth-space services for research purposes subject to causing no harmful interference.

(309) The frequency 243 Mc is the frequency in this band for use by survival craft stations and equipment used for survival purposes.

(310) Radio astronomy observations on the Deuteron line (322-329 Mc) are carried out in a number of countries under national arrangements. Administrations should bear in mind the needs of the radio astronomy service in their future planning of this band.

(311) Limited to Instrument Landing Systems (glide path).

(317) The band 404-410 Mc in Regions 2 and 3, and the band 406-410 Mc in Region I are also allocated to the radio astronomy service. An appropriate continuous band within these limits shall be designated on a national or area basis. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference. The radio astronomy service shall be protected from harmful interference from services operating in other bands in accordance with the provisions of these Regulations, only to the extent that these services are protected from each other.

(318) Radio altimeters may also be used, temporarily, in the band 420-460 Mc until they are able to operate in a band allocated to the aeronautical radionavigation service or until they are no longer required.

(340) In Region 2, the frequency 915 Mc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 25 Mc of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(341) The bands 960-1215 Mc, 1535-1660 Mc, 4200-4400 Mc, 5000-5250 Mc and 15.4-15.7 Gc are reserved on a world-wide basis for the use and development of airborne electronic aids to air navigation and any directly associated ground-based facilities.

(348) The use of the bands 1300-1350 Mc, 2700-2900 Mc and 9000-9200 Mc by the aeronautical radionavigation service is restricted to ground-based radars and, in the future, to associated airborne transponders which transmit only on frequencies in these bands and only when actuated by radars operating in the same band.

(357) The frequency 2450 Mc is designated for industrial, scientific and medical purposes except in Albania, Bulgaria, Hungary, Poland, Rumania, Czechoslovakia, and the U.S.S.R., where the frequency 2375 Mc is used. Emissions must be confined within ± 50 Mc of the frequencies designated. Radiocommunication services operating within these limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(365) The bands 2690-2700 Mc and 4990-5000 Mc are also allocated to the radio astronomy service. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference. The radio astronomy service shall be protected from harmful interference from services operating in other bands in accordance with the provisions of these Regulations, only to the extent that these services are protected from each other.

(366) In the band 2700-2900 Mc ground-based radars used for meteorological purposes are authorized to operate on the basis of equality with stations of the aeronautical radionavigation service.

(367) The use of the band 2900-3100 Mc by the aeronautical radionavigation service is limited to ground-based radars.

(369) In the band 3100-3300 Mc, existing racons and shipborne radars in merchant ships may operate within the band 3100-3266 Mc.

(385) The use of the band 5350-5470 Mc by the aeronautical radionavigation service is limited to airborne radars and associated airborne beacons.

(387) Between 5600 and 5650 Mc, ground-based radars used for meteorological purposes are authorized to operate on the basis of equality with stations of the maritime radionavigation service.

(391) The frequency 5800 Mc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 75 Mc of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific, and medical equipment.

(396) The use of the band 8750-8850 Mc by the aeronautical radionavigation service is limited to airborne Doppler navigation aids on a centre frequency of 8800 Mc.

(399) The use of the band 9300-9500 Mc by the aeronautical radionavigation service is limited to airborne weather radars, and ground-based radars. In this band ground-based radars used for meteorological purposes have priority over other radiolocation devices.

(404) Limited to continuous wave systems.

(405) The bands 10.68-10.7 Gc, 15.35-15.4 Gc, 19.3-19.4 Gc and 31.3-31.5 Gc are also allocated to the radio astronomy service. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference. The radio astronomy service shall be protected from interference from services operating in other bands in accordance with the provisions of these Regulations, only to the extent that these services are protected from each other.

(406) Limited to Doppler navigation aids.

(410) The frequency 22.125 Gc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 125 Mc of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experi-

enced from the operation of industrial, scientific, and medical equipment.

(411) In the band 24.25-25.25 Gc, ground-based radionavigation aids are not permitted except where they operate in cooperation with airborne or shipborne radionavigation devices.

NG FOOTNOTES

NG1 Operational fixed stations may be authorized to use frequencies in this band in accordance with columns 10 and 11 of the Table of Frequency Allocations, on the condition that harmful interference will not be caused to the reception of television stations on Channels 4 or 5. In any area in the continental United States (excluding Alaska), the aviation service and marine service may each be authorized to use four of the frequencies in the bands 72-73 and 75.4-76 Mc listed in column 10 for operational fixed stations in these services.

NG2 Facsimile broadcasting stations may be authorized in the band 88-108 Mc.

NG3 Fixed stations in the domestic fixed public service and control stations in the domestic public radio services may be authorized to use any of the frequencies in the band 72-73 and 75.4-76 Mc indicated in column 10 on the conditions that (a) harmful interference will not be caused to the reception of television stations on channels 4 or 5 and (b) that harmful interference will not be caused to operational fixed stations.

NG4 The use of the frequencies in the band 152.84-153.35 Mc may be authorized, in any area, to remote pickup broadcast base and mobile stations on the condition that harmful interference will not be caused to the industrial radio services.

NG5 Licensees in the public safety radio services holding a valid authorization on June 30, 1958, to operate in the frequency band 156.27-157.47 Mc or on the frequencies 161.85, 161.91 or 161.97 Mc may, upon proper application, continue to be authorized for such operation, including expansion of existing systems, until such time as harmful interference is caused to the operation of any authorized station other than those licensed in the public safety radio service.

NG6 Stations in the public safety radio services authorized as of June 30, 1958, to use frequencies in the band 159.51-161.79 Mc in areas other than Puerto Rico and the Virgin Islands may continue such operation, including expansion of existing systems, on the condition that harmful interference will not be caused to stations in the services to which these bands are allocated. In Puerto Rico and the Virgin Islands this authority is limited to frequencies in the band 160.05-161.87 Mc. No new public radio service system will be authorized to operate on these frequencies.

NG7 Only those land stations which communicate with mobile (except television pickup) stations, are authorized to use frequencies in this band.

NG8 Frequencies in this band will be selected for assignment in such a manner that, on an engineering basis, the lowest frequency in the band is assigned which will not cause harmful interference to stations in that area already assigned frequencies in accordance with the Table of Frequency Allocations.

NG9 FM inter-city relay stations may be authorized to use the band 942-952 Mc on the condition that harmful interference will not be caused to stations operating in accordance with the Table of Frequency Allocations.

NG10 Frequencies in this band will be selected for assignment in such a manner that, on an engineering basis, the highest frequency in the band is assigned which will not cause harmful interference to stations in that area already assigned frequencies in accordance with the Table of Frequency Allocations.

NG11 Television inter-city relay stations may be authorized to use frequencies in this band on the condition that harmful interference will not be caused to stations operating in accordance with the Table of Frequency Allocations.

NG12 Frequencies in the bands 454.40-455 Mc and 459.40-460 Mc may be assigned to domestic public land and mobile stations to provide a two-way air-ground public radio telephone service.

NG13 In those portions of the States of Texas and New Mexico in the area bounded on the south by parallel 31°53' N., on the east by longitude 105°40' W., on the north by parallel 33°24' N., and on the west by longitude 106°40' W., the frequency band 220-225 Mc is not available for use by amateur stations engaged in normal amateur operation between the hours of 0500 and 1800 local time Monday through Friday inclusive of each week. However, the entire frequency band 220-225 Mc shall be available in all areas to those amateur stations authorized to operate in an organized civil defense network during all periods when civil defense emergencies exist and, in addition, special arrangements for civil defense drills between the hours and within the area set forth above may be made upon mutual agreement between the Federal Communications Commission Engineer in Charge at Dallas, Texas, and the Area Frequency Coordinator at White Sands, New Mexico, if it appears necessary to conduct such drills. Such arrangements shall specify dates and times, and will depend upon the degree of use of the frequency band at White Sands at any particular time.

NG14 Stations in the radiolocation service shall not cause harmful interference to stations in the disaster communications service between sunset and sunrise or at any time during an actual or imminent disaster. Conversely, stations in the disaster communications service shall not cause harmful interference to stations in the radiolocation service between sunrise and sunset except during an actual or imminent disaster.

NG15 (a) The amateur service may use in any area, whichever bands, 1800-1825 or 1975-2000 kc, are not required for Loran in that area, in accordance with the following conditions:

(1) The use of these frequencies by the amateur service shall not be a bar to the expansion of the radionavigation (Loran) service;

(2) The amateur service shall not cause harmful interference to the radionavigation (Loran) service;

(3) Only types A1 and A3 emissions shall be employed;

(4) Amateur operation shall be limited to:

Area	Bands (kc)	DC plate input power in watts	
		Day	Night
Minnesota, Iowa, Wisconsin, Michigan, Pennsylvania, Maryland, Delaware, and States to the north of these including the District of Columbia	1800-1825	500	200
North Dakota, South Dakota, Nebraska, Colorado, New Mexico, and States to the west of these States (except State of Washington)	1975-2000	500	200
State of Washington	1975-2000	200	50
Oklahoma, Kansas, Missouri, Arkansas, Illinois, Indiana, Kentucky, Tennessee, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Texas, (West of 99° W. or North of 32° N.)	1800-1825	200	50

Area	Bands (kc)	DC plate input power in watts	
		Day	Night
State of Hawaii	1975-2000	500	200
Texas (East of 99° W. and South of 32° N.) Louisiana, Mississippi, Alabama, Alaska, Georgia, Florida, Puerto Rico, Virgin Islands, Guam, and other Territories and Possessions of the U.S. not listed above.	None	No operation	

(b) The provisions of (a) above shall be considered as temporary in the sense that they shall remain subject to cancellation or to revisions, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran system of radionavigation.

NG16 For conditions which apply to the use of this band, refer to the North American Regional Broadcasting Agreement.

NG17 The aeronautical radionavigation service may be authorized the use of the frequencies 1638 kc and 1708 kc only.

NG18 In the band 1605-1715 kc, stations in the radiolocation service shall not cause harmful interference to stations in the aeronautical radionavigation service.

NG19 Fixed stations associated with the maritime mobile service may be authorized, for purposes of communication with coast stations, to use frequencies assignable to ship stations in this band on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG20 Fixed stations in the public safety radio service may be authorized the use of frequencies in this band which are authorized to base and mobile stations of this service on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG21 In Hawaii, the frequency bands 76-88 Mc and 98-108 Mc are allocated exclusively to the fixed service for use by common carrier fixed stations for inter-island communications only. Spacing between assignable frequencies is not specified.

NG22 The frequency 2182 kc may be authorized to fixed stations associated with the maritime mobile service for the sole purpose of transmitting distress calls and distress traffic, and urgency and safety signals and messages.

NG23 Frequencies in the band 2110-2200 Mc may also be assigned to stations in the international fixed public radio service located south of 25°30' north latitude in the State of Florida and in U.S. Possessions in the Caribbean area.

NG24 On the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations, land stations authorized and used primarily as coast stations (not open to public correspondence) and associated land mobile stations may be authorized to use, on a secondary basis, the frequencies 156.35, 156.45 and 156.55 Mc: *Provided*, That, in each case, the frequency assignment will be common to the maritime mobile and land mobile services and that the maritime mobile service shall be protected from harmful interference from the land mobile service.

NG25 The frequency 6240 kc may be authorized to ship telephone stations and coast telephone stations operating in the Mississippi River maritime mobile service system on the condition that harmful interference will not be caused to services operating in

accordance with the Table of Frequency Allocations.

NG26 In Puerto Rico and the Virgin Islands only, the bands 154.04 Mc to 154.49 Mc and 161.40 Mc to 161.85 Mc are allocated exclusively to (a) aeronautical fixed service, (b) domestic fixed public service, and (c) international fixed public service. Spacings between assignments in these services are unspecified.

NG27 The frequency 6455 kc may be authorized to ship telephone stations and coast telephone stations operating in the Mississippi River maritime mobile service system on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG28 The frequency band 160.86-161.40 Mc is available for assignment to remote pickup base and remote pickup mobile stations in Puerto Rico and the Virgin Islands only, on a shared basis with the land transportation radio service.

NG29 The frequencies 4067, 4372.4 and 8205.5 kc may be authorized for use by either ship or coast radiotelephone stations operating in the Mississippi River system.

NG30 Stations in the international fixed public radiocommunication service in Florida, south of 25°30' north latitude, may be authorized to use frequencies in the band 716-890 Mc on the condition that harmful interference will not be caused to the broadcasting service of any country. This is an interim allocation the termination of which will later be specified by the Commission when it is determined that equipments are generally available for use in bands allocated internationally to the fixed service.

NG31 The spacing between frequency assignments in this band shall be 10 kc. The first and last assignable frequencies are those indicated in column 10.

NG32 The spacing between frequency assignments in this band shall be 20 kc. The first and last assignable frequencies are those indicated in column 10.

NG33 The spacing between frequency assignments in this band shall be 40 kc. The first and last assignable frequencies are those indicated in column 10.

NG34 The spacing between frequency assignments in this band shall be 50 kc. The first and last assignable frequencies are those indicated in column 10.

NG35 The spacing between frequency assignments in this band shall be 100 kc. The first and last assignable frequencies are those indicated in column 10.

NG36 The spacing between frequency assignments in this band shall be 200 kc. The first and last assignable frequencies are those indicated in column 10.

NG37 The frequencies 161.8 and 161.85 Mc are not available for assignment to the maritime mobile service in Puerto Rico or the Virgin Islands.

NG38 The frequencies 152.3, 152.36, 152.41, 157.56, 157.62, and 157.68 Mc may be assigned exclusively to stations in the industrial radio service outside standard metropolitan areas of 50,000 or more population.

NG39 Citizens radio service operations may be authorized only in the 466.475-467.475 Mc portion of this band.

NG40 Non-Government fixed stations which were authorized on April 16, 1958, to use frequencies in the band 890-942 Mc may, upon the showing that interference is being caused by or to their assignments, be authorized to use frequencies in the band 942-953 Mc provided the bandwidth of emission does not exceed 1100 kc and provided that an engineering study by the Commission indicates that the proposed frequency assignment for such stations in the band 942-953 Mc is likely to result in the elimination of the interference occurring in the band 890-942 Mc, and will not cause interference to existing operations in the band 942-952 Mc.

NG41 Frequencies in the bands 3700-4200 Mc, 5925-6425 Mc, and 10,700-11,700 Mc may also be assigned to stations in the international fixed public and international control services located in U.S. Possessions in the Caribbean area.

NG42 Non-Government stations in the radiolocation service shall not cause harmful interference to the amateur service.

U.S. FOOTNOTES

US1 Pulsed emissions prohibited.

US2 The frequency 132.0 Mc may be authorized to non-Government stations only.

US3 The Government fixed, mobile and radiolocation services are permitted in the band 132.0-135.0 Mc on condition that harmful interference is not caused to the aeronautical mobile (R) service.

US4 The frequency 135.0 Mc may be authorized for Government aeronautical mobile communications, other than air traffic control communications, when requirements cannot be satisfied within the band 132-135 Mc, on condition that harmful interference is not caused to other services operating in accordance with the Table of Frequency Allocations.

US5 Until January 1, 1963, the frequencies 217.425 through 217.675 Mc and 219.325 through 219.575 Mc, inclusive, may be authorized for use by non-Government telemetering mobile stations aboard aircraft and telemetering land stations, for telemetering to and from aircraft in flight, when an engineering study indicates that harmful interference will not be caused to stations operating in accordance with the Table of Frequency Allocations.

US6 Radio altimeters will not be permitted to use the band 420-460 Mc after February 15, 1963.

US7 The power to be employed by amateur stations in this band will not exceed 50 watts DC plate power input to the final stage of the transmitter.

US8 The use of the frequencies 170.475, 171.425, 171.575, and 172.275 Mc east of the Mississippi River, and 170.425, 170.575, 171.475, 172.225, and 172.375 Mc west of the Mississippi River may be authorized to fixed, land and mobile stations operated by non-Federal forest fire-fighting agencies. In addition, land stations and mobile stations operated by non-Federal conservation agencies, for mobile relay operation only, may be authorized to use the frequency 172.275 Mc east of the Mississippi River and the frequency 171.475 Mc west of the Mississippi River. The use of any of the foregoing nine frequencies shall be on the condition that no harmful interference will be caused to Government stations.

US9 In order to provide for intercommunication for safety purposes between Government and non-Government stations in the maritime mobile service, the frequencies 157.05, 157.1 and 157.15 Mc are allocated exclusively in all areas, to Government stations in the fixed and mobile services, and the frequencies 173.225, 173.25, 173.275, 173.3, 173.325, 173.35, and 173.375 Mc are allocated exclusively in all areas, to non-Government stations in the fixed and land mobile services.

US10 The use of the frequencies 26.62 Mc (in Hawaii), 143.91 Mc (in the continental United States excluding Alaska), and 148.14 Mc (in all areas) may be authorized to Civil Air Patrol land stations and Civil Air Patrol mobile stations on the condition that harmful interference will not be caused to Government stations.

US11 The use of the frequencies 166.250 and 170.50 Mc may be authorized to non-Government remote pickup broadcast base and land mobile stations and to non-Government base, fixed and land mobile stations in the public safety radio services (the sum of the bandwidth of emission and tolerance not to exceed 60 kc) in the continental United States (excluding Alaska) only, except with-

in the area bounded on the west by the Mississippi River, on the north by the parallel of latitude 37°30' N., and on the east and south by that arc of the circle with center at Springfield, Ill., and radius equal to the airline distance between Springfield, Ill., and Montgomery, Ala., subtended between the foregoing west and north boundaries, on the condition that harmful interference will not be caused to Government stations present or future in the Government band 162-174 Mc. The use of these frequencies by remote pickup broadcast stations will not be authorized for locations within 150 miles of New York City; and the use of these frequencies by the public safety radio services will not be authorized except for locations within 150 miles of New York City.

US12 The use of the frequency 162.0 Mc may be authorized to non-Government coast stations only.

US13 For the specific purpose of transmitting hydrological and meteorological data in cooperation with agencies of the Federal Government, the following frequencies may be authorized to non-Government fixed stations on the condition that harmful interference will not be caused to Government stations:

Mc	Mc	Mc	Mc
169.425	170.325	171.825	406.250
169.475	170.375	171.875	406.350
169.525	171.025	171.925	412.450
169.575	171.075	171.975	412.550
170.225	171.125	406.050	412.650
170.275	171.175	406.150	412.750

US14 This frequency band is not available to non-Government stations, except that, in Regions 1 and 3 only, the frequency 512 kc may be authorized for use by non-Government ship telegraph stations as a working frequency and, when 500 kc is being used for distress purposes, as a supplementary calling frequency.

US15 The use of the frequency 540 kc is subject to the conditions that no harmful interference is caused to the services operating on 500 kc, and in the band 510-535 kc.

US16 Airdrome control stations may continue to be authorized to use frequencies in the band 290-325 kc on the condition that harmful interference will not be caused to stations of services operating in accordance with the Table of Frequency Allocations.

US17 For the radiolocation activities of the petroleum industry only, radiolocation land stations and radiolocation mobile stations making use of SHORAN equipment may be authorized the use of the frequencies 230 Mc, 250 Mc and 310 Mc at locations within 150 miles of the respective shorelines of California, Alaska, and the Gulf of Mexico provided that no harmful interference is caused to services operating in accordance with the Table of Frequency Allocations and provided that SHORAN operations are coordinated locally in advance with Federal Government authorities making use of frequencies in this band in the same area.

US18 Navigation aids in U.S. and possessions between 200 and 415 kc are normally operated by the U.S. Government. However, authorizations may be made by the Commission for non-Government operation in this band subject to the conclusion of appropriate arrangements between the Commission and the Government agencies concerned and upon special showing of need for service which the Government is not yet prepared to render.

US19 In the band 405-415 kc, stations in the aeronautical mobile service shall not cause harmful interference to stations in the radionavigation service.

US20 In Alaska, Government stations in the fixed service may be authorized to use frequencies in the band 72-73 and 75.4-76 Mc on the condition that harmful interference will not be caused to the reception of TV channel 4.

US21 Existing Government operations and non-Government stations authorized in this band as of _____ may continue and shall not be required to afford protection to the radio astronomy service.

US22 Existing stations holding a valid authorization to operate in this band as of _____ may continue to so operate and shall not be required to afford protection to the radio astronomy service in this band.

US23 In Alaska, the frequency bands 76-88 Mc and 88-100 Mc are allocated to Government radio services and the non-Government fixed service.

US24 Government fixed stations in the Midway Islands use frequencies in the band 54.0-54.4 Mc; U.S. stations in the broadcasting service will not be authorized to use frequencies in the band 54-60 Mc at any island in the Pacific Ocean west of the Island of Oahu, non-Government experimental stations, other than contract developmental stations, will not be authorized to use frequencies in the band 54.0-54.4 Mc at any island in the Pacific Ocean west of the Island of Oahu. This note does not apply to Alaska.

US25 The use of frequencies in the band 25.85-26.1 Mc may be authorized in any area to non-Government remote pickup broadcast base and mobile stations on the condition that harmful interference is not caused to stations in the broadcasting service.

US26 The bands 117.975-121.425 and 123.575-126.825 Mc are for air traffic control communications.

US27 The frequency 121.6 Mc is for search and rescue communications. Aeronautical utility land and mobile stations may use this frequency on the condition that no harmful interference is caused to search and rescue communications during any period of search and rescue operations in the locale involved.

US28 The band 121.65-121.975 Mc is for use by aeronautical utility land and mobile stations, and for air traffic control communications.

US29 The current use of the band 121.975-123.075 Mc by military aircraft is temporary and may continue until they are moved to an appropriate band.

US30 The band 121.975-123.075 Mc is available to FAA aircraft for communications pursuant to flight inspection functions in accordance with the Federal Aviation Act of 1958.

US31 The band 121.975-123.075 Mc is for use by private aircraft stations. The frequencies 122.8 and 123.0 Mc may also be used by aeronautical advisory stations.

US32 The band 123.075-123.575 Mc is for (a) non-Government operations in accordance with the Commission's Rules and (b) for FAA communications incident to flight test activities pertinent to aircraft certification.

US33 The band 123.075-123.575 Mc is for use by flight test and flying school stations.

US34 The only non-Government service permitted in the band 220-225 Mc is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US35 Except as provided by footnote (US6), the only non-Government service permitted in the band 420-450 Mc is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US36 Each non-Government station in the fixed service, authorized to operate in the band 890-942 Mc and holding a valid authorization to so operate as of April 16, 1958, may continue to operate in that band for the duration of the term of its authorization in effect as of that date, and shall be protected from harmful interference from the radiolocation service during such term. Renewals of such authorizations, however,

shall be contingent upon the condition that each such fixed station (1) accept any harmful interference that may be experienced from the operation of ISM equipments on 915 Mc, (2) accept any harmful interference that may be experienced from the radiolocation service and (3) shall not cause harmful interference to the radiolocation service.

US37 The only non-Government service permitted in the band 1215-1300 Mc is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US38 The non-Government use of the band 1300-1350 Mc is limited to the aeronautical radionavigation service.

US39 Radio altimeters are permitted in the band 1600-1660 Mc until such time as international standardization of other aeronautical radionavigation systems or devices requires the discontinuance of radio altimeters in this band.

US40 The only non-Government service permitted in the band 2300-2450 Mc is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US41 The Government radiolocation service is permitted in the band 2450-2500 Mc on the condition that harmful interference is not caused to non-Government services.

US42 Temporarily, and until certain operations of the radiolocation service in the band 2700-2900 Mc can be transferred to other appropriate frequency bands, the aeronautical radionavigation and meteorological aids services may, in certain geographical areas, be subject to receiving some degree of interference from the radiolocation service.

US43 Non-Government land based radars in the aeronautical radionavigation service may be authorized in the band 2700-2900 Mc, subject to the conclusion of appropriate arrangements between the Commission and the Government agencies concerned, and upon special showing of need for service which the Government is not yet prepared to render.

US44 The non-Government radiolocation service may be authorized in the band 2900-3100 Mc on the condition that no harmful interference is caused to Government services.

US45 Each non-Government radiolocation land or radiolocation mobile station authorized to operate in the band 3100-3246 Mc, 3266-3300 Mc, or 9200-9300 Mc and holding a valid authorization to so operate as of April 16, 1958, may continue to operate in that band for the duration of the term of its authorization in effect as of that date. Renewals of such authorizations, however, shall be contingent upon the condition that each such station shall not cause harmful interference to Government services.

US46 Each non-Government radionavigation station authorized to operate a shipborne radar in the band 3100-3246 Mc, and holding a valid authorization to so operate as of April 16, 1958, may continue to operate in that band for the duration of the term of its authorization in effect as of that date. Renewals of such authorizations, however, shall be contingent upon the condition that each such station must accept any harmful interference that might be experienced from Government services in that band.

US47 The band 4200-4400 Mc is reserved exclusively for radio altimeters until such time as international standardization of other aeronautical radionavigation systems or devices requires the discontinuance of radio altimeters in this band.

US48 The non-Government radiolocation service may be authorized in the band 5350-

5460 Mc on the condition that it does not cause harmful interference to the aeronautical radionavigation service or to the Government radiolocation service.

US49 The non-Government radiolocation service may be authorized in the band 5460-5470 Mc on the condition that it does not cause harmful interference to the aeronautical or maritime radionavigation services or to the Government radiolocation service.

US50 The non-Government radiolocation service may be authorized in the band 5470-5600 Mc on the condition that it does not cause harmful interference to the maritime radionavigation service or to the Government radiolocation service.

US51 In the band 5600-5650 Mc, the non-Government radiolocation service shall not cause harmful interference to the Government radiolocation service.

US52 The only non-Government service permitted in the band 5650-5925 Mc is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US53 In the band 8750-8850 Mc, Government and non-Government airborne doppler radars in the aeronautical radionavigation service may be authorized temporarily until moved to a frequency band allocated to the aeronautical radionavigation service, and meanwhile must accept any harmful interference that may be experienced from the radiolocation service.

US54 Temporarily, and until certain operations of the radiolocation service in the band 9000-9200 Mc can be transferred to other appropriate frequency bands, the aeronautical radionavigation service may, in certain geographical areas, be subject to receiving some degree of interference from the radiolocation service.

US55 The non-Government radiolocation service may be authorized in the band 9000-9200 Mc on the condition that harmful interference is not caused to the aeronautical radionavigation service or the Government radiolocation service.

US56 The non-Government radiolocation service may be authorized in the band 9300-9500 Mc on the condition that harmful interference is not caused to the Government radiolocation service.

US57 In the band 9750-9850 Mc, Government and non-Government airborne doppler radars in the aeronautical radionavigation service may be authorized temporarily until moved to a frequency band allocated to the aeronautical radionavigation service, and meanwhile must accept any harmful interference that may be experienced from the radiolocation service.

US58 In the band 10,000-10,500 Mc, pulsed emissions are prohibited. The amateur service and non-Government radiolocation services, which shall not cause harmful interference to the Government radiolocation service, are the only non-Government services permitted in this band. The non-Government radiolocation service is limited to survey operations using transmitters with a power not to exceed one watt into the antenna.

US59 The band 10,500-10,550 Mc is restricted to systems using other than pulsed emissions with a power not to exceed 40 watts into the antenna.

US60 The use of this band by non-Government services is limited to the space and earth-space services.

US61 The use of this band by non-Government services is limited to the amateur service.

US62 The use of this band by Government services is limited to space and earth-space services.

US63 The use of this band in the space and earth-space services is primarily for communications other than telemetering and tracking.

US64 The use of this band in the space and earth-space services is primarily for telemetering and tracking.

US65 The use of the band 5460-5650 Mc by the maritime radionavigation service is limited to shipborne radars.

US66 The use of the band 9300-9500 Mc by the aeronautical radionavigation service is limited to airborne radars and associated airborne beacons.

US67 The use of the band 9300-9500 Mc by the meteorological aids service is limited to ground-based radars. Radiolocation installations will be coordinated with the meteorological aids service and, insofar as practicable, will be adjusted to meet the requirements of the meteorological aids service.

US68 The non-Government use of this band is limited to the radio astronomy service.

US69 In the band 31,800-33,400 Mc, ground-based radionavigation aids are not permitted except where they operate in cooperation with airborne or shipborne radionavigation devices.

US70 The meteorological aids service allocation in the band 400-406 Mc does not preclude the operation therein of associated ground transmitters.

US71 In the band 9300-9320 Mc, low-powered maritime radionavigation stations shall be protected from harmful interference caused by the operation of land-based equipment.

US72 In the band 24,250-25,250 Mc, Government radiolocation devices (ASDE) are permitted between 24,250-24,470 Mc on a shared basis.

US73 Where protection of space or earth-space operations is necessary at specific ground receiving stations from fixed and mobile service operations in the band 1427-1429 Mc, coordination will be effected with agencies concerned to accomplish such local protection.

US74 The radio astronomy service shall be protected from harmful interference from services operating in other bands only to the extent that these services are protected from each other.

US75 Except as provided by footnote US21, the non-Government use of this band is limited to the radio astronomy service.

US76 The allocation to the space and earth-space services is for research purposes only.

US77 The frequencies 156.6 and 156.7 Mc for use on a simplex basis and the frequency pair 157.0/161.6 Mc for ship and coast stations, respectively, for use on a duplex basis, may also be authorized to Government stations in the maritime mobile service for port operations only.

US78 In the band 1435-1535 Mc, the frequencies between 1435 and 1485 Mc will be assigned primarily for the flight testing of manned aircraft, or major components thereof; the frequencies between 1485 and 1535 Mc will be assigned primarily for the flight testing of unmanned aircraft and missiles or major components thereof. Specifically included as permissible usage for aeronautical telemetering stations in the band 1435-1535 Mc is telemetry associated with launching and reentry into the earth's atmosphere, as well as any incidental orbiting prior to reentry, of manned or unmanned objects undergoing flight tests.

[F.R. Doc. 61-1089; Filed, Feb. 21, 1961; 8:45 a.m.]

[47 CFR Part 3]

[Docket No. 13960 (RM-219); FCC 61-221]

TABLE OF ASSIGNMENTS

Television Broadcast Station in Ogden, Utah

1. Notice is hereby given of rule making in the above-entitled matter.

2. The Commission has under consideration a petition filed December 20, 1960 by the Ogden City Board of Education asking that Channel 24 now assigned to Ogden, Utah, be reserved for noncommercial educational use in that community. Channels 9-, *18- and 24 are now assigned to Ogden which has a population of 70,197 according to the 1960 U.S. Census. Commercial station KVOG-TV has been authorized to use Channel 9 and educational station KWCS-TV operated by The Weber County School District has been authorized to operate on Channel 18. Both of these stations now have license applications pending. No application has been filed for Channel 24.

3. Petitioner states it has for some time been considering the use of television for educational purposes. Such use has also been considered by a committee consisting of 50 educators and laymen which has for the past two years been studying the curriculum of the Ogden Public Schools. Following this study, petitioner has authorized an application to be made for a television station on Channel 24 and desires the channel be reserved for educational use.

4. For the past year and a half the Ogden Public Schools have been making use of the educational programming provided by educational station KUED, Channel 7, Salt Lake City, Utah, operated by the University of Utah. Salt Lake City has a population of 182,121 according to the 1960 U.S. Census and is located some 30 miles north from Ogden. About 1,000 Ogden students have been receiving the foreign language programs provided by Station KUED and many other students have been using other programs from this station. The Ogden Public Schools have provided some of the programs broadcast by Station KUED.

5. Petitioner asserts that, while it is cooperating with the Weber County School District in its planned operation of educational Station KWCS-TV in Ogden, an additional television station is needed to provide a more inclusive offering of television instruction for students in the Ogden area.

6. The Commission is of the view that a rule making proceeding should be instituted so that all interested parties may submit their views upon the Ogden City Board of Education proposal.

7. Authority for the adoption of the amendment proposed herein is contained in sections 4 (i) and (j), 303 and 307(b) of the Communications Act of 1934, as amended.

8. Pursuant to applicable procedures set out in § 1.213 of the Commission's rules, interested persons may file comments on or before March 15, 1961, and reply comments on or before March 24,

1961. In reaching its decision on the rules and standards of general applicability which are proposed herein, the Commission will not be limited to consideration of comments on record, but will take into account all relevant information obtained in any manner from informed sources.

9. In accordance with the provisions of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished the Commission.

Adopted: February 15, 1961.

Released: February 17, 1961.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL]

BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 61-1571; Filed, Feb. 21, 1961; 8:49 a.m.]

[47 CFR Parts 7, 8, 9, 10, 11, 16]

[Docket No. 13953; FCC 61-200]

CERTAIN FREQUENCY PAIRING AND OMNIDIRECTIONAL OPERATIONS

Notice of Proposed Rule Making

In the matter of amendment of Parts 7, 8, 9, 10, 11, and 16 of the Commission's rules to provide for frequency pairing in the 952-960 Mc frequency band, and to make the channel 952.5 Mc available to public safety radio licensees for omnidirectional operations.

1. In its Report and Order in Docket No. 11866, released August 6, 1959, the Commission considered the use of microwave frequencies for omnidirectional antenna systems and, on the basis of information then before it, determined that the use of such systems would probably curtail substantially the use which might otherwise be made of microwave frequencies. However, it noted that there appeared to be a need for such systems by public safety organizations. It, therefore, decided that, since it appeared that such systems probably would be confined to intracity areas, frequencies above 16,000 Mc could be utilized for such operations. Accordingly, it was provided that applications for such systems would be considered on a case-by-case basis and authorizations therefor would be issued only upon complete and specific factual showing by applicants of exception and unique circumstances requiring the use of such systems.

2. Simultaneously with the release of the above-mentioned Report and Order, the Commission released a Notice of Proposed Rule Making in Docket No. 13083 setting forth certain proposed technical standards governing the grant of applications for the use of microwave frequencies above 952 Mc for private microwave systems, excluding broadcasters. Several parties filed comments in such proceeding specifically directed to the use of microwave frequencies for omnidirectional systems. In its Report and Order in Docket No. 13083, released July 22, 1960, the Commission adopted certain of the interim technical standards,

effective January 1, 1961.¹ However, it pointed out that the question of the use of microwave frequencies for omnidirectional systems was beyond the scope of that proceeding and stated that the action taken therein was without prejudice to any action which might subsequently be taken on this matter.

3. In the interim, since the release of the Commission's Report and Order in Docket 11866, there has come to the attention of the Commission information which indicates the advisability of reviewing the question as to the use of microwave frequencies in the band 952-960 Mc, in addition to the 16,000 Mc band, for the use of omnidirectional antenna systems by public safety organizations. This rule making proposal is, therefore, directed toward consideration of this problem as well as the problem of channeling assignable frequencies in the Safety and Special Radio Services in the 952-960 Mc band.

4. With respect to this latter point, one of the Commission's determinations in the Report and Order in Docket 13083 was that the frequency band 952-960 Mc should be divided so as to create channels having a bandwidth of 100 kc. The Commission has considered several alternate means of effectuating this finding, cognizant that any such action should meet the following criteria: (a) maximum utilization of the band; (b) minimum inconvenience to presently authorized microwave systems, and (c) conformity with the provisions of § 2.104(a)(5), footnote NG 15, of Part 2 of the Commission's rules. This footnote which governs the frequency band 952-960 Mc reads as follows:

Frequencies in this band will be selected for assignment in such a manner that, on an engineering basis, the highest frequency in band is assigned which will not cause interference to stations in that area already assigned frequencies in accordance with the Table of frequency allocations.

5. In light of these criteria, the Commission is proposing that in each of the Services governed by the above-captioned rules parts the frequencies between 952-960 Mc be assignable as follows:

Paired frequencies		Paired frequencies	
959.9	956.3	958.1	954.5
959.8	956.2	958.0	954.4
959.7	956.1	957.9	954.3
959.6	956.0	957.8	954.2
959.5	955.9	957.7	954.1
959.4	955.8	957.6	954.0
959.3	955.7	957.5	953.9
959.2	955.6	957.4	953.8
959.1	955.5	957.3	953.7
959.0	955.4	957.2	953.6
958.9	955.3	957.1	953.5
958.8	955.2	957.0	953.4
958.7	955.1	956.9	953.3
958.6	955.0	956.8	953.2
958.5	954.9	956.7	953.1
958.4	954.8	956.6	953.0
958.3	954.7	956.5	952.9
958.2	954.6	956.4	952.8

¹ As a result of a petition for reconsideration, the Commission in a Memorandum Opinion and Order released November 8, 1960, agreed, inter alia, to postpone the effective date to July 20, 1961.

Unpaired frequencies

952.7	952.5	952.3	952.1
952.6	952.4	952.2	

¹ Available for omnidirectional use by licensees authorized under Part 10 of this chapter.

6. The result of this assignment plan would be the creation of 36 pairs of frequencies in this band and would conform to the present informal policy of pairing now followed by the Commission. In other words, adoption of this plan would not require any frequency shifting by systems presently authorized in this band.

7. It should be noted that this assignment plan leaves seven frequencies unpaired: 952.7, 952.6, 952.5, 952.4, 952.3, 952.2, and 952.1 Mc. As indicated in paragraph two above, in their comments filed pursuant to the Commission's Notice of Proposed Rule Making in Docket No. 13083, both Electronic Industries Association (EIA), Washington, D.C., and Motorola, Inc., Chicago, Illinois, pointed out that various Public Safety Radio Systems had a need for omnidirectional antenna operations in the frequency band 952-960 Mc, particularly to control traffic lights. In the past, municipalities desiring to establish any centralized control over their traffic lights were forced to rely on cable since radio equipment and frequencies for this purpose were not available. The increasingly prohibitive cost of laying this cable has brought this method of controlling traffic lights to a virtual standstill. However, the problem of traffic flow in and out of metropolitan areas has worsened considerably in recent years. The movement of large numbers of urban workers into rural and suburban areas has intensified the need of bigger municipalities to be able to control the traffic volume throughout this metropolitan area. An appropriately coordinated system of radio-controlled traffic lights would, to a large extent, enable these governmental entities to solve this traffic problem over the entire metropolitan area. Adopting this approach, entities such as Washington, D.C., and Seattle, Washington, have established omnidirectional antenna traffic light systems. They are presently authorized to operate on the frequency 952.5 Mc on a developmental basis (i.e., one year licenses). The omnidirectional aspect appears to be necessary to enable the licensees to obtain adequate coverage and control in every direction; that is, over the whole metropolitan area to be served. Other such entities have recently expressed interest in installing similar systems. Use of an omnidirectional antenna is requested both from the standpoint of financial practicability and wide metropolitan area coverage. The experience of those licensees referred to above indicates that omnidirectional operation on the frequency 952.5 Mc has resulted in adequate area coverage with no interference to other systems in the 952-960 Mc band.

8. In light of the proposed frequency assignment plan set forth above and in view of the apparent immediate need by governmental entities for a channel in this band for omnidirectional traffic light control, it appears that the public interest may be served by making the frequency 952.5 Mc available for such usage by licensees in the Public Safety Radio Services. As a result of the comments submitted in this proceeding, the Commission may make some, or all, of the remaining six frequencies available for omnidirectional use by these Part 10 licensees or by any other group which satisfactorily demonstrates a similar need. Attention, however, should be directed to the factors enumerated in Paragraph 7, supra, which indicates to the Commission that public safety licensees may have an immediate valid requirement for omnidirectional usage in the 952-960 Mc frequency band over and above any need and requirement for the use of frequencies in the bands above 16,000 Mc. Of course, this proceeding also affords an opportunity for interested parties to advance other potential uses which can be carried out on one of these unpaired frequencies.

9. Authority for the rule amendments proposed herein is contained in section 4(i) and 303 of the Communications Act of 1934, as amended.

10. Any interested person who is of the opinion that the proposed amendments should not be adopted or should not be adopted in the form set forth herein, and any person desiring to support this proposal may file with the Commission on or before May 15, 1961, a written statement or brief setting forth his comments. No additional comments may be filed unless (1) specifically requested by the Commission, or (2) good cause for the filing of such additional comments is established. The Commission will consider all comments filed hereunder prior to taking final action in this matter provided that, notwithstanding the provisions of section 1.213 of the rules, the Commission will not be limited solely to the comments filed in this proceeding. If comments are submitted warranting oral argument, notice of the time and place of such oral argument will be given.

11. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, an original and fourteen copies of all statements, briefs, and comments filed shall be furnished the Commission.

Adopted: February 15, 1961.

Released: February 17, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-1572; Filed, Feb. 21, 1961;
8:49 a.m.]

[47 CFR Parts 31, 33, 34, 35]

[Docket No. 11913; FCC 61-195]

USE OF ACCELERATED DEPRECIATION FOR INCOME TAX PURPOSES

Accounting for Income Tax Differentials

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 15th day of February 1961;

The Commission having under consideration the rule making proceeding in the above-captioned matter which was instituted on January 17, 1957 concerning the accounting to be followed by carriers subject to this Commission's uniform systems of accounts (Parts 31, 33, 34 and 35 of the Commission's rules and regulations) with respect to their use of accelerated depreciation for income tax purposes;

It appearing that comments were timely filed on the rule making proposal by fifteen parties and there were no comments or briefs filed in reply to the original comments received; and

It further appearing that relatively few communication common carriers subject to our accounting rules and regulations are using accelerated depreciation for income tax purposes; that interest in such use of accelerated depreciation by communication common carriers has diminished since the commencement of this proceeding; and that, therefore, it is neither necessary nor desirable under these circumstances to amend our various systems of accounts to give specific accounting treatment to this subject;

It further appearing that with respect to any communication common carrier who currently or hereafter may use accelerated depreciation for income tax purposes, it may apply to the Commission for specific waiver of our accounting rules and regulations in the event it believes that such rules and regulations do not adequately accommodate its accounting requirements, as heretofore has been done from time to time in the case of a few such companies;

It further appearing that, in view of the foregoing reasons no useful purpose would be served by holding oral argument in this matter;

It is ordered, That the request of the Wisconsin Public Service Commission for oral argument should be, and it is hereby, denied; and

It is further ordered, That the proceeding in this matter is terminated.

Released: February 17, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-1573; Filed, Feb. 21, 1961;
8:49 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

CABBAGE

Notice of Purchase Program BMP 45a

In order to encourage domestic consumption of cabbage by diversion from the normal channels of trade and commerce in accordance with section 32, Public Law 320, 74th Congress, approved August 24, 1935, as amended, a cabbage purchase program was made effective on January 25, 1961, and will continue as needed but no later than March 15, 1961. Purchases under this program will be made in producing areas where surpluses are causing serious marketing problems. Cabbage so purchased will be distributed to nonprofit school lunch programs and other eligible outlets. The quantity to be purchased will depend upon marketing conditions at the time of purchase, the availability of outlets for the use of cabbage without waste, and upon the amount of funds available for such purchases. Information relative to this purchase program may be obtained from: Fruit and Vegetable Division, Agricultural Marketing Service, Department of Agriculture, Washington 25, D.C.

(Sec. 32, 49 Stat. 774, as amended, 7 U.S.C. 612c)

Dated: February 16, 1961.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-1554; Filed, Feb. 21, 1961; 8:47 a.m.]

[P. & S. Docket No. 1246]

ST. LOUIS NATIONAL STOCKYARDS CO.

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on March 2, 1959 (18 A.D. 228), authorizing the respondent, St. Louis National Stockyards Company, to assess the current temporary schedule of rates and charges to and including June 30, 1961, unless modified or extended by further order before the latter date.

On February 10, 1961, a petition was filed on behalf of the respondent requesting authority to modify, as soon as possible, the current temporary schedule of rates and charges as indicated below, and requesting that the current schedule, as so modified, be continued in effect to and including June 30, 1963.

SECTION I YARDAGE CHARGES

	Rate per Head	
	Present	Proposed
A. Livestock sold or resold in the Commission Division:		
Cattle (except bulls weighing 800 lbs. or over)-----	\$1.00	\$1.10
Calves (400 lbs. or under)-----	.56	.62
Hogs (except boars)----	.36	.39
Sheep and Goats-----	.24	.28
Bulls weighing 800 lbs. or over-----	1.65	1.80
Boars-----	1.00	1.15
B. Livestock received directly by packers through the yards:		
Cattle (except bulls weighing 800 lbs. or over)-----	.50	.55
Calves (400 lbs. or under)-----	.28	.31
Hogs (except boars)----	.18	.20
Sheep and Goats-----	.12	.14
Bulls weighing 800 lbs. or over-----	.83	.90
Boars-----	.50	.58

SECTION I-C

DELIVERY CHARGE

Delivery of hogs from truck unloading chutes to market agency pens, 2½ cents [presently 1½ cents] per head.

Delivery of sheep and goats from truck unloading chutes to Market Agency pens, 3 cents per head. [new]

This charge will be assessed against the market agency receiving the livestock.

* * * * *

Section VII

SALE PAVILION CHARGES

Present

This Company maintains special premises for the handling of purebred and other auction sales of cattle, calves, hogs, sheep or goats, but special arrangements for the care of such operations must be made in advance.

In addition to yardage, the charges will be: Cattle—\$1.00 per head ring fee; sheep, goats, or hogs—as per special contract.

Regular charges for all feed.

Proposed

Charges on regular auction sales of stocker and feeder cattle and calves held under the auspices of the market interests, will be the regular cattle yardage charge published herein, plus a ring fee of 25 cents per head with a maximum ring fee of \$5.00 per lot. Regular charges for all feed.

Arrangements and charges for use of facilities for special sales must be arranged with Stockyards Company.

NOTE: Section I calf yardage rates do not apply to calves sold in auction.

The modifications, if authorized, will produce additional revenue for the respondent and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 15 days after the publication of this notice.

Done at Washington, D.C., this 17th day of February 1961.

LEE D. SINCLAIR,
Acting Director, Packers and Stockyards Division, Agricultural Marketing Service.

[F.R. Doc. 61-1569; Filed, Feb. 21, 1961; 8:49 a.m.]

Office of the Secretary

ARKANSAS, MINNESOTA, AND TEXAS

Designation of Areas for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the States of Arkansas, Minnesota, and Texas production disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

ARKANSAS

Independence.

MINNESOTA

Big Stone.
Chippewa.

Swift.

TEXAS

Castro.
Hale.

Hockley.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1961, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of February, 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61-1555; Filed, Feb. 21, 1961; 8:47 a.m.]

NORTH DAKOTA

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of North Dakota a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative

lending agencies, or other responsible sources.

NORTH DAKOTA

Adams.	Logan.
Bottineau.	McHenry.
Bowman.	McIntosh.
Burke.	McKenzie.
Burleigh.	McLean.
Cass.	Morton.
Cavaller.	Mountrall.
Dickey.	Pierce.
Divide.	Ransom.
Dunn.	Renville.
Emmons.	Sheridan.
Golden Valley.	Sioux.
Grant.	Slope.
Hettinger.	Stark.
Kidder.	Stutsman.
LaMoure.	Williams.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1961, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of February 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61-1556; Filed, Feb. 21, 1961;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 12876, 12877; FCC 61M-250]

AUDIOCASTING OF TEXAS, INC., AND HORACE K. JACKSON, SR.

Order Continuing Hearing

In re applications of Audiocasting of Texas, Inc., Waco, Texas, Docket No. 12876, File No. BP-11851; Horace K. Jackson, Sr., Gatesville, Texas, Docket No. 12877, File No. BP-12550; for construction permits for new standard broadcast stations.

The Hearing Examiner having before him a Petition for Extension of Time for hearing in the above-entitled proceeding, filed by Audiocasting of Texas, Inc., on February 14, 1961; and

It appearing that the other parties to the proceeding have consented to grant of the requested extension of time and have also consented to immediate consideration of that request;

It is ordered, This 15th day of February 1961, that the Petition for Extension of Time filed by Audiocasting of Texas, Inc., on February 14, 1961, is granted; and the hearing now scheduled for February 15, 1961, is continued to February 28, 1961, at 9:00 a.m.

Released: February 16, 1961.

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

[F.R. Doc. 61-1574; Filed, Feb. 21, 1961;
8:49 a.m.]

[Docket No. 13014 etc.; FCC 61M-257]

BUREAU BROADCASTING CO. ET AL.

Notice of Further Prehearing Conference

In re applications of Russell Armentrout and Mildred Armentrout, d/b as Bureau Broadcasting Company, Princeton, Illinois, Docket No. 13014, File No. BP-12135; Chief Pontiac Broadcasting Co. (WPON), Pontiac, Michigan, Docket No. 13020,¹ File No. BP-12236; Booth Broadcasting Company (WIBM), Jackson, Michigan, Docket No. 13026,¹ File No. BP-12349; Harmon Leroy Stevens and John F. Wismer, d/b as Stevens-Wismer Broadcasting Company (WHLS), Port Huron, Michigan, Docket No. 13028,¹ File No. BP-12368; Midwestern Broadcasting Company (WATZ), Alpena, Michigan, Docket No. 13048,¹ File No. BP-13081; WPAR, Inc. (WPAR), Parkersburg, West Virginia, Docket No. 13050,¹ File No. BP-13113; Dover Broadcasting Company, Inc. (WJER), Dover, Ohio, Docket No. 13051,¹ File No. BP-13127; Cleveland Broadcasting Company, Sandusky, Ohio, Docket No. 13052,¹ File No. BP-13142, et al., Docket Nos. 13016, 13017, 13018, 13019, 13021, 13022, 13023, 13025, 13027, 13029, 13030, 13031, 13032, 13033, 13034, 13035, 13036, 13038, 13039, 13040, 13041, 13042, 13044, 13045, 13046, 13047, 13049, 13053, 13648; for construction permits.

There will be a further prehearing conference in Group VIII, on Friday February 24, 1961, at 9 a.m., in the offices of the Commission, Washington, D.C.

Dated: February 16, 1961.

Released: February 17, 1961

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

[F.R. Doc. 61-1575; Filed, Feb. 21, 1961;
8:49 a.m.]

[Docket No. 13948; FCC 61M-246]

HARFORD COUNTY BROADCASTING CO. (WAMD)

Order Scheduling Hearing

In re application of John L. Allen, tr/as Harford County Broadcasting Company (WAMD), Aberdeen, Maryland, Docket No. 13948, File No. BP-12529; for construction permit.

It is ordered, This 15th day of February 1961, that Basil P. Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 17, 1961, in Washington, D.C.

Released: February 16, 1961.

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

[F.R. Doc. 61-1576; Filed, Feb. 21, 1961;
8:49 a.m.]

¹ Group VIII.

[Docket No. 13949; FCC 61M-247]

JEFFERSON COUNTY BROAD- CASTING CO.

Order Scheduling Hearing

In re application of Paul Metcalfe, Kenneth Dearstone, and Ray Smith, d/b as Jefferson County Broadcasting Company, Jefferson City, Tennessee, Docket No. 13949, File No. BP-12824; for construction permit.

It is ordered, This 15th day of February 1961, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 12, 1961, in Washington, D.C.

Released: February 16, 1961.

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

[F.R. Doc. 61-1577; Filed, Feb. 21, 1961;
8:49 a.m.]

[Docket Nos. 13950, 13951; FCC 61M-248]

SANTA FE BROADCASTING CO. AND VALLEY BROADCASTERS

Order Scheduling Prehearing Conference

In re applications of Jim H. Speck, tr/as Santa Fe Broadcasting Co., Santa Fe, New Mexico, requests: 970 kc, 1 kw, Day, Docket No. 13950, File No. BP-12411; E. Boyd Whitney and John Burroughs d/b as Valley Broadcasters, Espanola, New Mexico, requests: 970 kc, 1 kw, Day, Docket No. 13951, File No. BP-13008; for construction permits.

It is ordered, This 15th day of February 1961, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 12, 1961, in Washington, D.C.

Released: February 16, 1961.

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

[F.R. Doc. 61-1578; Filed, Feb. 21, 1961;
8:49 a.m.]

[Docket Nos. 13918, 13919; FCC 61M-245]

UNITED BROADCASTING CO., INC., AND PURITAN BROADCAST SERV- ICE, INC.

Order Scheduling Prehearing Conference

In re applications of United Broadcasting Co., Inc., Beverly, Massachusetts, Docket No. 13918, File No. BPH-3129; Puritan Broadcast Service, Inc., Lynn, Massachusetts, Docket No. 13919, File No. BPH-3185; for construction permits (FM).

It is ordered, This 15th day of February 1961, that a prehearing conference, in accordance with § 1.111 of the rules, will be held in the above-entitled matter

at 2:00 p.m., on March 9, 1961, in the offices of the Commission at Washington, D.C.

Released: February 16, 1961.

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

[F.R. Doc. 61-1579; Filed, Feb. 21, 1961;
8:49 a.m.]

[Docket No. 13944; FCC 61M-240]

UNITED TELEVISION COMPANY OF NEW HAMPSHIRE (WMUR-TV)

Order Scheduling Prehearing Conference

In re application of United Television Company of New Hampshire (WMUR-TV), Manchester, New Hampshire, Docket No. 13944, File No. BPCT-2770; for construction permit to change existing facilities (Channel 9).

It is ordered, This 14th day of February 1961, that a prehearing conference, pursuant to § 1.111 of the Commission's rules, will be held in the above-entitled matter at 10:00 a.m., March 2, 1961, in

the Commission's offices in Washington, D.C.

Released: February 15, 1961.

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

[F.R. Doc. 61-1580; Filed, Feb. 21, 1961;
8:49 a.m.]

[Canadian List 155]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes and Corrections in Assignments

JANUARY 30, 1961.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in Assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 47214-3) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CFCH.....	North Bay, Ontario.....	600 kilocycles 10 kw D/5 kw N	DA-2	U	III	NIO with increased power.
New CKRD (PO: 800 kc 1 kw DA-1).	Windsor, Ontario..... Red Deer, Alberta.....	850 kilocycles 10 kw D/1 kw N	DA-D DA-N	D U	II II	EIO January 15, 1962. Do.
CFBC.....	St. John, New Brunswick.	950 kilocycles 10 kw D/5 kw N	DA-2	U	III	NIO with increased daytime power.
CHC.....	Sault Ste. Marie, Ontario.	1050 kilocycles 10 kw D/2.5 kw N	DA-N	U	II	Do.
CJLR (PO: 1000 kc 5 kw DA-1).	Sillery, Quebec.....	1000 kilocycles 10 kw	DA-1	U	II	EIO January 15, 1962.

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

[F.R. Doc. 61-1581; Filed, Feb. 21, 1961;
8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 12109]

COMPANIA DE AVIACION "FAUCETT", S.A.

Notice of Prehearing Conference

In the matter of the application of Compania de Aviacion "Faucett", S.A. for a foreign air carrier permit to operate a scheduled service carrying passengers, property and mail from Peru via Panama to Miami, Florida and Washington, D.C.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on March 1, 1961, at 10:00 a.m., e.s.t., in Room 911,

No. 35—8

Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Richard A. Walsh.

Dated at Washington, D.C., February 17, 1961.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 61-1570; Filed, Feb. 21, 1961;
8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management NEVADA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

FEBRUARY 14, 1961.

The Department of the Navy filed an application for withdrawal and reservation of lands, serial number Nevada 032396, on February 3, 1955. The applicant agency has canceled the application

in its entirety. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m., on March 22, 1961, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

MOUNT DIABLO MERIDIAN, NEVADA

T. 9 S., R. 41 E., unsurveyed.

Tps. 9 and 10 S., R. 42 E., unsurveyed.

CHARLES E. HANCOCK,
Acting State Supervisor,
Post Office Box 1551, Reno, Nev.

[F.R. Doc. 61-1550; Filed, Feb. 21, 1961;
8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI61-335]

ATLANTIC REFINING CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate and Allowing Increased Rate To Become Effective Subject to Refund; Correction

FEBRUARY 15, 1961.

In the Order Providing For Hearing On And Suspension Of Proposed Change In Rate And Allowing Increased Rate To Become Effective Subject To Refund, issued January 26, 1961, and published in the FEDERAL REGISTER on February 2, 1961 (F.R. Doc. 61-937; 26 F.R. 1039): Add the following sentence to the first paragraph: "The 0.25¢ per Mcf increase represents a dehydration allowance which the buyer has agreed to pay."

Ordering paragraphs "(B), (C), and (D)" should be redesignated paragraphs "(C), (D), and (E)" respectively. The following ordering paragraph "(B)" should be inserted:

(B) Pending hearing and decision thereon, Supplement No. 9 to Atlantic's FPC Gas Rate Schedule No. 57 is hereby suspended and the use thereof deferred until January 29, 1961, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-1545; Filed, Feb. 21, 1961;
8:45 a.m.]

[Docket No. CP61-176]

UNITED GAS PIPE LINE CO.

Notice of Application and Date of Hearing

FEBRUARY 15, 1961.

Take notice that on December 23, 1960, United Gas Pipe Line Company (Applicant), 1525 Fairfield Avenue, Shreveport, Louisiana, filed an application, as supplemented on January 11, 1961, in Docket No. CP61-176, pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity seeking authorization to construct and operate 0.012 of a mile of

4-inch pipeline extending from its existing 6-inch Mineola-Van Field supply lateral to the Town of Van, Texas (Van) and a meter station, all in Van Zandt County, Texas, all as more fully set forth in the application, as supplemented, on file with the Commission and open to public inspection.

Applicant proposes to use these facilities to sell and deliver natural gas to United Gas Corporation (United) for resale and distribution in Van.

Applicant states that Van is now receiving natural gas service from Pure Oil Company (Pure) in conjunction with Pure's lease operations in the Van Field; however, due to a change in such operations Pure will cease serving Van at an early date. The application shows that United will acquire from Pure the distribution system in Van; the initial cost of acquiring and placing the Van distribution system in operation is estimated at \$36,228.

The estimated natural gas requirements of Van are as follows:

Year:	Mcf at 14.9 psia Peak day Annual	
1-----	1,200	71,500
2-----	1,225	73,000
3-----	1,250	74,500

The proposed service will be rendered at a rate of 24.2 cents per Mcf by Applicant to United under a service agreement, dated December 19, 1960.

Applicant estimated the total capital cost of its proposed project at \$7,058, which cost will be financed out of current working funds.

The application recites that Pure has advised that it requires no abandonment authorization from any regulatory body within the State of Texas to cease service to Van and that United has advised that it does not require any authorization to commence service to Van other than the 30-year franchise which has been granted by Van.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

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 on March 20, 1961, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street, N.W., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 10, 1961. Failure of any party to appear at and participate in the hearing

shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 61-1546; Filed, Feb. 21, 1961;
8:45 a.m.]

FEDERAL RESERVE SYSTEM NEW YORK HOLDING CORP.

Notice of Receipt of Application

Notice is hereby given that the Board of Governors of the Federal Reserve System has received an application by New York Holding Corporation, White Plains, New York, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842), for the Board's prior approval of action whereby, pursuant to a Plan under which it would acquire the capital stock of the proposed Wall Street Trust Company, New York, New York, and the proposed Main Street Trust Company, White Plains, New York, New York Holding Corporation would become a bank holding company.

This application has been filed in conjunction with applications by Bankers Trust Company, New York, New York, and County Trust Company, White Plains, New York, filed pursuant to section 18(c) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)), for the Board's prior written consent to merge, respectively, with the proposed Wall Street Trust Company and the proposed Main Street Trust Company, the shares of which banks New York Holding Corporation herein proposes to acquire.

In determining whether to approve the application submitted pursuant to section 3(a) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the company and the banks concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington 25, D.C.

Dated at Washington, D.C., this 16th day of February 1961.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 61-1547; Filed, Feb. 21, 1961;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 364]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

FEBRUARY 17, 1961.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 a.m., United States standard time, unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 263 (Sub No. 118) (AMENDMENT), filed May 2, 1960, published in the FEDERAL REGISTER issue of November 9, 1960. Applicant: GARRETT FREIGHTLINES, INC., 2055 Pole Line Road, Pocatello, Idaho. Applicant's attorney: Maurice H. Greene, P.O. Box 1554, Boise, Idaho. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer, dry, in bulk, bags or packages, from points in Bannock, Carbou, and Bear Lake Counties, Idaho, and Salt Lake and Utah Counties, Utah, on the one hand, and, on the other, points in Oregon, Idaho, Montana, Utah, Washington, Nevada, Colorado, and California.

HEARING: April 19, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Frank R. Saltzman.

No. MC 2392 (Sub No. 21), filed December 15, 1960. Applicant: WHEELER TRANSPORT SERVICE, INC., Genoa, Nebr. Applicant's attorney: R. E. Powell, 1005-06 Trust Building, Lincoln, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia, aqua ammonia, nitrogen fertilizer solutions, urea solutions, fertilizer ammoniating solutions, mixed fertilizer solutions and other fertilizer solutions, in bulk, in tank vehicles, (1) from the plant site of the Allied Chemical Corporation at or near LaPlatte, Nebr., and from Omaha, Nebr., to points in Iowa, Kansas, South Dakota, Illinois, Minnesota, Missouri, and Nebraska, and (2) from Jefferson, Iowa, and points within 10 miles thereof, to points in Iowa, Kansas, South Dakota, Illinois, Missouri, Nebraska, and Minnesota, and damaged or rejected shipments of above-described commodities from the above-specified destination points to their respective origin points.

HEARING: March 24, 1961, at the Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Examiner Jerry F. Laughlin.

No. MC 4405 (Sub No. 374) (CORRECTION), filed January 3, 1961, published

in the FEDERAL REGISTER issue of January 25, 1961. Applicant: DEALERS TRANS-IT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's attorney: James W. Wrape, Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semi-trailers, and trailer chassis*, except those designed to be drawn by passenger automobiles, in initial movements, by truckaway and driveway service; from points in El Paso County, Tex., to points in Alaska, Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, and (2) *tractors*, in secondary driveway movements, only when drawing trailers or trailer chassis moving in initial driveway movements, over irregular routes; from points in El Paso County, Tex., to points in Alaska, Arizona, Nevada, and Oregon.

Note: This republication corrects the origin territory to read "points in El Paso County, Texas", in lieu of El Paso, Tex.

HEARING: Remains as assigned March 20, 1961, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 20992 (Sub No. 10), filed January 6, 1961. Applicant: WILLIAM DOTSETH, Rural Route, Knapp, Wis. Applicant's attorney: W. P. Knowles, New Richmond, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough and sawed lumber, poles, ties, pallets, flooring, and manufactured wood products*, from points in that part of Wisconsin north of U.S. Highway 16 and west of State Trunk Highway 53, to points in Illinois, Iowa and Minnesota, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

HEARING: May 4, 1961, in Room 926, Metropolitan Building, Second Avenue, South and Third, Minneapolis, Minn., before Examiner Frank R. Saltzman.

No. MC 25708 (Sub No. 16) (AMENDMENT), filed January 18, 1961, published in the FEDERAL REGISTER, issue of February 8, 1961. Applicant: BEARD-LANEY, INC., 1009 Church Street, P.O. Box 204, Camden, S.C. Applicant's attorney: Frank A. Graham, Jr., 707 Security Federal Building, Columbia 1, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquefied petroleum gas*, in bulk, in tank vehicles, (a) from the Jonesboro Terminal on the Trans-Southern Pipe Line near Atlanta, Ga., to points in Georgia, North Carolina, and South Carolina; (b) from the Anderson Terminal on the Trans-Southern Pipe Line near Anderson, S.C., to points in Georgia, North Carolina, and South Carolina; (c) from the Pineville Terminal on the Trans-Southern Pipe Line near Charlotte, N.C., to points in North Carolina, South Carolina, and Virginia; and (d) from the

Sanford Terminal on the Trans-Southern Pipe Line near Sanford, N.C., to points in North Carolina, South Carolina, and Virginia; and (2) *Empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, from the above-described destination points to the respective origin points.

HEARING: Remains as assigned March 13, 1961, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner James I. Carr.

No. MC 26396 (Sub No. 35), filed October 21, 1960. Applicant: STAR TRANSFER COMPANY, a corporation, 4034 South Billings Boulevard, Billings, Mont. Applicant's attorney: J. F. Meglen, 204-205 Behner Building, 2822 Third Avenue, North, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Safflower meal and animal feeds*, in bulk and in bags, in truckload lots, from Culbertson, Mont., to points in Idaho, Wyoming, Colorado, Nebraska, South Dakota, and North Dakota, and *contaminated or rejected shipments* of the above-specified commodities on return; and (2) *Cement*, in bulk and in bags, not to include cement for building materials, from Trident, Mont., to points in Big Horn and Park Counties, Wyo., and *contaminated or rejected shipments* of cement on return.

HEARING: April 25, 1961, at the Yellowstone County Court House, Billings, Mont., before Examiner Frank R. Saltzman.

No. MC 29934 (Sub No. 11), filed February 7, 1961. Applicant: LOBIONDO BROTHERS MOTOR EXPRESS, INC., R.F.D. No. 6, Landis Avenue, Bridgeton, N.J. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Glenshaw, Pa., to Bridgeton, N.J., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, and *rejected, returned or damaged shipments*, on return.

HEARING: March 30, 1961, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Samuel Horwich.

No. MC 31600 (Sub No. 492), filed February 13, 1961. Applicant: P. B. MURRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham 54, Mass. Applicant's attorney: H. C. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum oil, mineral oil and petrolatum*; from Karns City, Pa., to the ports of entry on the United States-Canadian International Boundary at or near Roosevelttown, Fort Covington, and Champlain, N.Y., restricted to shipments moving to points in the Province of Quebec, Canada. (2) *Petroleum oil, mineral oil and petrolatum*; from Petrolia, Pa., to the ports of entry on the United States-Canadian International Boundary at or near Buffalo, Niagara Falls, Alexandria Bay, Ogdensburg, Roosevelttown, Fort

Covington, and Champlain, N.Y., restricted to shipments moving to points in the Provinces of Ontario and Quebec, Canada. (3) *Chemicals*; from the ports of entry on the United States-Canadian International Boundary at or near Alexandria Bay, Ogdensburg, Roosevelttown, and Champlain, N.Y., for delivery to points in New York, restricted to shipments moving from the Province of Quebec, Canada; and *refused and rejected shipments*, on return, in connection with (1), (2) and (3) above.

HEARING: March 20, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gerald F. Colfer.

No. MC 42261 (Sub No. 46), filed February 9, 1961. Applicant: LANGER TRANSPORT CORP., Route 1, Foot of Danforth Avenue, Jersey City, N.J. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk (except cement) and *returned or rejected shipments*; between Boonton, Rahway, Edgewater, Elizabeth, Haledon, Newark, Passaic, Paulsboro, Whippany, and Bound Brook, N.J.; Buffalo and Syracuse, N.Y.; Baltimore, Md.; Philadelphia, Sunbury, Johnsonburg, Newell, South Danville, Reynolds, and points within 10 miles of Reynolds, Pa.; Claymont, Atlas Point, and points within 10 miles of Atlas Point, Del.; Stonewall, Hopewell, and points within 15 miles of Hopewell, Va.; and Fall River, Mass.; on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

HEARING: February 23, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner A. Lane Cricher.

No. MC 43716 (Sub No. 23), filed February 2, 1961. Applicant: BIGGE DRAYAGE CO., a corporation, 10700 Bigge Avenue, San Leandro, Calif. Applicant's attorney: Frank Loughran, Suite 1620, Russ Building, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, the transportation of which because of size or weight, requires the use of special equipment*; between points in Idaho, Nevada, Oregon, and in California, except points in San Bernardino, Orange, Los Angeles, Riverside, San Diego, and Imperial Counties, Calif.

HEARING: April 17, 1961, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 44178 (Sub No. 1), filed January 3, 1961. Applicant: SMITH BROTHERS EXPRESS, INC., Hacketts-town, N.J. Applicant's representative: George A. Olsen, 69 Toninele Avenue, Jersey City 6, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by

the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Hackettstown, N.J., and points in Warren and Sussex Counties, N.J.

HEARING: March 29, 1961, at the U.S. Court Rooms, Newark, N.J., before Examiner Leo A. Riegel.

No. MC 52709 (Sub No. 125), filed February 8, 1961. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Applicant's representative: Eugene St. M. Hamilton, 3201 Ringsby Court, Denver 5, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wine and brandy*, in bulk, in tank vehicles, in straight loads; between points in California, on the one hand, and, on the other, points in Wisconsin, Minnesota, North Dakota, South Dakota; (2) *grape flavoring materials, non-potable*, not over 21 percent alcohol by volume, between points in California, on the one hand, and, on the other, Atlanta, Ga., and (3) *returned, rejected and contaminated shipments*, between points as shown in (1) and (2) above.

HEARING: April 10, 1961, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 52964 (Sub No. 6), filed January 23, 1961. Applicant: FREIGHT TRANSIT COMPANY, a corporation, 2600 University Avenue SE., Minneapolis 14, Minn. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass or plastic containers, bottles, jars, packing glasses, jelly tumblers*, with or without their equipment of *caps, covers, stoppers or tops*, in straight or mixed truckloads, or in mixed truckloads with *corrugated paper boxes or paper containers*, knocked down; from Rosemont and Valley Park (near Savage), Minn., to points in Illinois, Iowa, Kansas, Upper Peninsula of Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Muskogee, Okla. and Lapel, Ind.

HEARING: May 2, 1961, in Room 926, Metropolitan Building, Second Avenue, South and Third, Minneapolis, Minn., before Examiner Frank R. Saltzman.

No. MC 61403 (Sub No. 60), filed February 3, 1961. Applicant: THE MASON DIXON TANK LINES, INC., Wilcox Drive, Kingsport, Tenn. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, including liquid glue*, in bulk, in tank vehicles; from Meredosia, Ill., and points within 10 miles thereof, to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

HEARING: March 7, 1961, at the Midland Hotel, Chicago, Ill., before Examiner Hugh M. Nicholson.

No. MC 102806 (Sub No. 10) (AMENDMENT), filed January 23, 1961, published in the FEDERAL REGISTER issue of

February 8, 1961. Applicant: PETROLEUM TRANSPORTATION, INCORPORATED, P.O. Box 232, Gastonia, N.C. Applicant's attorney: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from the Jonesboro Terminal on the Trans-Southern Pipe Line near Atlanta, Ga., to points in Georgia, South Carolina, and Tennessee; (2) from the Anderson Terminal on the Trans-Southern Pipe Line near Anderson, S.C., to points in Georgia, North Carolina, South Carolina, and Tennessee; (3) from the Pineville Terminal on the Trans-Southern Pipe Line near Charlotte, N.C., to points in North Carolina, South Carolina, Tennessee, and Virginia; and, (4) from the Sanford Terminal on the Trans-Southern Pipe Line near Sanford, N.C., to points in North Carolina, Tennessee, and Virginia, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

HEARING: Remains as assigned March 13, 1961, at 680 Peachtree Street NW., Atlanta, Ga., before Examiner James I. Carr.

No. MC 103191 (Sub No. 10) (AMENDMENT), filed January 24, 1961, published in the FEDERAL REGISTER issue of February 8, 1961. Applicant: THE GEO. A. RHEMAN CO., INC., P.O. Box 2095, Station A, Charleston, S.C. Applicant's attorney: Frank A. Graham, Jr., 707 Security Federal Building, Columbia 1, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles; (a) from the Jonesboro Terminal on the Trans-Southern Pipe Line near Atlanta, Ga., to points in Georgia, North Carolina, and South Carolina; (b) from the Anderson Terminal on the Trans-Southern Pipe Line near Anderson, S.C., to points in Georgia, North Carolina, and South Carolina; (c) from the Pineville Terminal on the Trans-Southern Pipe Line near Charlotte, N.C., to points in North Carolina, South Carolina, and Virginia; and (d) from the Sanford Terminal on the Trans-Southern Pipe Line near Sanford, N.C., to points in North Carolina, South Carolina, and Virginia; and *empty containers or other such incidental facilities*, used in transporting the above-described commodity, on return, in connection with (a), (b), (c), and (d) above.

HEARING: March 13, 1961, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner James I. Carr.

No. MC 105045 (Sub No. 7), filed January 7, 1961. Applicant: R. L. JEFFRIES TRUCKING CO., INC., 201 Southeast First Street, Evansville, Ind. Applicant's attorney: Thomas N. Woods, 1301 Ambassador Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities, the loading, unloading or transportation of which, because of size, weight, or shape, require the use of special equipment or*

handling; parts and attachments of the commodities described above, when moving in connection with shipments of such commodities; machinery, equipment, materials and supplies, used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products; and *machinery, materials, equipment and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof; between points in Alaska, Arizona, Colorado, Montana, Nevada, New Mexico, Utah, and Wyoming, on the one hand, and, on the other, points in Michigan and Wisconsin.

HEARING: April 17, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Frank R. Saltzman.

No. MC 107107 (Sub No. 159), filed January 10, 1961. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, 2424 Northwest 46th Street, Miami 42, Fla. Applicant's attorney: Frank B. Hand, Jr., 522 Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, and (2) *meats, meat products, meat by-products, and dairy products*, as defined by the Commission, from New York, N.Y., and those points in New Jersey within fifteen (15) miles thereof, to points in Alabama, Louisiana, and Mississippi.

HEARING: April 3, 1961, at the U.S. Army Reserve Building, 30 West 44th Street, New York, N.Y., before Examiner Leo A. Riegel.

No. MC 107544 (Sub No. 37), filed February 9, 1961. Applicant: LEMMON TRANSPORT COMPANY, INC., P.O. Box 580, Marion, Va. Applicant's attorney: Wilmer B. Hill, Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from terminals on the Trans-Southern Pipe Line in North Carolina to points in Georgia, North Carolina, South Carolina, Tennessee, and Virginia; (2) from terminals on the Trans-Southern Pipe Line in South Carolina to points in Georgia, North Carolina, South Carolina, Tennessee, and Virginia, and (3) from terminals on the Trans-Southern Pipe Line in Virginia to points in North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

HEARING: March 13, 1961, at 680 West Peachtree Street, NW., Atlanta, Ga., before Examiner James I. Carr.

No. MC 107670 (Sub No. 1), filed January 30, 1961. Applicant: ALMAC MOVING & STORAGE, INC., 400 Franklin Street, Framingham, Mass. Applicant's attorney: Charles R. Mason, 61 North Washington Street, North Attleboro, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods as defined by the Com-*

mission, uncrated new furniture, new office and store fixtures, new household fixtures and appliances, new school furniture and equipment, new household and office furnishings, and the return of damaged or refused shipments, between points in Massachusetts, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Rhode Island, Connecticut, and New York.

HEARING: April 11, 1961, at the New Post Office and Court House Building, Boston, Mass., before Examiner Leo A. Riegel.

No. MC 108449 (Sub No. 119) (RE-PUBLICATION), filed December 27, 1960, published in FEDERAL REGISTER, issue of February 15, 1961. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul 13, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Cement and lime, in bulk, in straight or mixed shipments, from Duluth, Minn., to points in South Dakota, North Dakota, Minnesota, Wisconsin, Iowa, and the Upper Peninsula of Michigan; (2) Cement and lime, in bags or in packages, in straight or mixed shipments, palletized or unpalletized, from Duluth, Minn., to points in Minnesota, North Dakota, South Dakota, Wisconsin, Iowa, and the Upper Peninsula of Michigan; and (3) Mixed shipments of items in (1) and (2) above, from Duluth, Minn., to points in Minnesota, North Dakota, South Dakota, Wisconsin, Iowa, and the Upper Peninsula of Michigan; and (4) Pallets, used in connection with the out-bound transportation in (2) and (3) above, from points in Minnesota, North Dakota, South Dakota, Wisconsin, Iowa, and the Upper Peninsula of Michigan to Duluth, Minn. The purpose of this republication is to add the commodity "lime" in (1) and (2) above.

HEARING: Remains as assigned April 5, 1961, in Room 926, Metropolitan Building, Second Avenue, South and Third, Minneapolis, Minn., before Examiner Dallas B. Russell.

No. MC 109584 (Sub No. 87), filed January 27, 1961. Applicant: ARIZONA PACIFIC TANK LINES, a corporation, 717 North 21st Avenue, Phoenix, Ariz. Applicant's attorney: Arthur H. Glanz, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: Sodium chlorate, dry, in bulk, in tank vehicles, from Henderson, Nev., to points in California (except Kern and Fresno Counties), and returned, rejected or contaminated shipments, of the above-specified commodity, on return.

HEARING: April 26, 1961, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 109637 (Sub No. 179), filed February 13, 1961. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville 11, Ky. Authority

sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Beverages and spirits, in bulk, in tank vehicles, between points in Kentucky, on the one hand, and, on the other, points in Kansas, Michigan, and Wisconsin.

HEARING: March 7, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Reece Harrison.

No. MC 111402 (Sub No. 9), filed February 8, 1961. Applicant: FAWLEY MOTOR LINES, INC., Broadway, Va. Applicant's attorney: S. Harrison Kahn, 1110-14 Investment Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Feed materials, from Newfield, N.J., and Lewes, Del., to points in Virginia, on and west of U.S. Highway 29, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified above, on return.

HEARING: April 4, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James I. Carr.

No. MC 111812 (Sub No. 117) (RE-PUBLICATION), filed December 29, 1960, published FEDERAL REGISTER, issue of February 8, 1961, at page 1140. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, packinghouse products and commodities used by packing-houses, as described in Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 766, and hooks and racks, the property of the shipper, (1) between Madison and Sioux Falls, S. Dak., Estherville and Ottumwa, Iowa, St. Louis, Mo. and Chicago, Ill., on the one hand, and, on the other, Arkansas City, and Kansas City, Kans., and from Kansas City and Arkansas City, Kans., to points in Nevada, California, Oregon, Washington, Arizona, New Mexico, and Butte, Mont.

NOTE: Applicant is agreeable to a statement in any certificate that may be issued that where any duplication may exist with present authority it shall not be construed as conferring more than one operating right. Applicant seeks the right to join the separate sections of this application for the purpose of performing through service. The purpose of this republication is to add the applicant's note, which was inadvertently omitted.

HEARING: Remains as assigned, March 29, 1961, at the Midland Hotel, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 111812 (Sub No. 118) (CORRECTION), filed January 9, 1961, published in the FEDERAL REGISTER, issue of February 8, 1961, at page 1140. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as

a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, (1) from Caribou, Maine, to points in New York; (2) from points in that portion of New York State on and west of U.S. Highway 11 from Pennsylvania-New York State Line to Syracuse, N.Y., and on and west of New York Highway 57 from Syracuse to Oswego, N.Y., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, and Wisconsin, and (3) from Greencastle, Pa., to Waseca, Minn.

NOTE: The purpose of this republication is to advise that applicant proposes to provide the service stated in (1) as well as to provide the service stated in (2), and also to provide a thorough service by combining (1) and (2); and to specify 57, as the number of the New York Highway inadvertently omitted in previous publication.

HEARING: Remains as assigned, March 27, 1961, at the Midland Hotel, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 112617 (Sub No. 84), filed February 13, 1961. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 5135, Cherokee Station, Louisville, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Beverages and spirits, in bulk, in tank vehicles, and returned and rejected shipments, between points in Kentucky on the one hand, and, on the other, points in Kansas, Michigan, and Wisconsin.

HEARING: March 7, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Reece Harrison.

No. MC 113524 (Sub No. 21), filed February 3, 1961. Applicant: JAMES F. BLACK, doing business as PARKVILLE TRUCKING COMPANY, 3818 Pulaski Highway, Baltimore, Md. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Green salted hides, pelts and skins; between points in Delaware, Maryland, New Jersey, Pennsylvania, and Virginia, on the one hand, and, on the other, points in Connecticut, Illinois, Indiana, Massachusetts, Michigan, New York, Ohio, Rhode Island, and Louisville, Ky., and St. Louis, Mo.

HEARING: March 28, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Charles J. Murphy.

No. MC 113832 (Sub No. 24), (CORRECTION) filed December 27, 1960, published in the FEDERAL REGISTER, issue of January 11, 1961, and republished February 1, 1961. Applicant: SCHWERMANN TRUCKING CO., 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Zipefski (same address as applicant). Due to a typographical error, the republication of the subject proceeding in the FEDERAL REGISTER erroneously designated one of the destination counties as "No Daviess County". The correct designation of that County is "Jo Daviess County".

HEARING: Remains as assigned March 2, 1961, at the U.S. Custom House,

Room 852, 610 South Canal Street, Chicago, Ill., before Joint Board No. 13.

No. MC 114106 (Sub No. 27), filed February 15, 1961. Applicant: MAYBELLE TRANSPORT COMPANY, P.O. Box 573, Lexington, N.C. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from terminal on the Trans Southern Pipe Line in South Carolina to points in North Carolina, and (2) from terminals on the Trans Southern Pipe Line in North Carolina to points in South Carolina and Virginia.

NOTE: Applicant holds contract carrier authority under Permit No. MC 115176.

HEARING: March 13, 1961, at 680 West Peachtree Street NW., Atlanta, Ga., before Joint Board No. 130, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 115841 (Sub No. 77), filed February 3, 1961. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods and food-stuffs*, requiring refrigeration in transit, between points in Kentucky, Tennessee, West Virginia, those in Virginia on and west of U.S. Highway 15, and Chambersburg, Pa., and points within fifteen (15) miles thereof.

HEARING: March 28, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner John L. York.

No. MC 115841 (Sub No. 78), filed February 3, 1961. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chambersburg, Pa., and points in Pennsylvania within fifteen (15) miles thereof, to points in Illinois, Indiana, and Ohio on and South of U.S. Highway 40.

HEARING: March 29, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Garland E. Taylor.

No. MC 115931 (Sub-No. 2), filed October 24, 1960. Applicant: BABCOCK & LEE TRANSPORTATION, INC., 1002 Third Avenue North, Billings, Mont. Applicant's attorney: James L. Sandall, 203-209 Securities Building, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment and supplies* used/or useful in the production, transmission or storage of electrical power, water or natural gas, between points in Yellowstone, Carbon, and Big Horn Counties, Mont.

HEARING: April 24, 1961, at the Yellowstone County Court House, Billings, Mont., before Joint Board No. 82, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 116171 (Sub No. 1), filed February 8, 1961. Applicant: MALONEY HAULING COMPANY, INC., a corporation, 3100 K Street NW., Washington, D.C. Applicant's attorney: S. Harrison Kahn, 1110-14 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and gravel*, in bulk, in dump type vehicles, from points in the Washington, D.C., Commercial Zone as defined by the Commission, to points in the District of Columbia and points in the Commonwealth of Virginia and Maryland within 75 miles of the District of Columbia.

HEARING: March 24, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 68.

No. MC 117250 (Sub No. 3), filed February 6, 1961. Applicant: JAMES WILSON, doing business as JAMES WILSON & SONS, 2 Baltic Street, Brooklyn 1, N.Y. Applicant's attorney: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by manufacturers of paints, colors, chemicals, and pigments, and *materials and supplies* used in connection therewith, in containers; from points in the New York, N.Y. Commercial Zone, Kearny and Newark, N.J., to points in Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union Counties, N.J., and return of *empty shipper's trailers* from the above specified destination points to the above specified origin points, on return. RESTRICTIONS: (1) Restricted to a transportation service to be performed under a continuing contract or contracts, with Sherwin-Williams Company. (2) Restricted to the transportation of the above specified commodities in shipper's trailers.

NOTE: Applicant states it presently holds Permit MC 117250 to transport the same commodities for the same shipper from Brooklyn, N.Y., to the destination Counties shown. All duplicating authority to be eliminated.

HEARING: April 10, 1961, at the U.S. Army Reserve Building, 30 West 44th Street, New York, N.Y., before Examiner Leo A. Riegel.

No. MC 117954 (Sub No. 5), filed February 2, 1961. Applicant: H. L. HER-RIN, JR., 101 Airline Highway, P.O. Box 456, Metairie, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La. and Mobile, Ala., to points in Minnesota, North Dakota, and South Dakota.

HEARING: May 5, 1961, in Room 926, Metropolitan Building, Second Avenue, South and Third, Minneapolis, Minn., before Examiner Frank R. Saltzman.

No. MC 118159 (Sub No. 4), filed February 2, 1961. Applicant: EVERETT LOWRANCE, 101 Airline Highway, Metairie, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank

Building, New Orleans, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La., and Mobile, Ala., to points in Idaho, Montana, Oregon, and Washington.

HEARING: April 18, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Frank R. Saltzman.

No. MC 118159 (Sub No. 5), filed February 2, 1961. Applicant: EVERETT LOWRANCE, 101 Airline Highway, P.O. Box 9199, Metairie, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La., and Mobile, Ala., to points in Utah.

HEARING: April 18, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Frank R. Saltzman.

No. MC 118554 (Sub No. 3), filed February 13, 1961. Applicant: EDWIN E. CLARKE, doing business as CLARKE BULK TRANSFER, 300 West Elm Street, Norristown, Pa. Applicant's attorney: William J. Wilcox, 624 Commonwealth Building, Allentown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, in pneumatically equipped hopper type trucks or trailers, from points in Cumberland, Dauphin, Lancaster, Lebanon, and York Counties, Pa., to Passaic, N.J., and New York, N.Y., and *refused or rejected shipments* of the above-specified commodity on return.

HEARING: March 30, 1961, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Samuel Horwich.

No. MC 119113 (Sub No. 1), filed December 13, 1960. Applicant: F. N. RUMBLEY COMPANY, a corporation, 2100 South Van Ness Avenue, Fresno, Calif. Applicant's attorney: Phil Jacobson, 510 West Sixth Street, Suite 723, Los Angeles 14, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*; from the site of Tidewater Oil Company plant at Avon, Coalinga Nose, Kettleman Hills, Coles Levee, Paloma, Mayo Spur, Ventura, Wadstrom, Belridge, and El Segundo, Calif., to site of the Sierra Pacific Power Company plant, Reno, Nev. (said plant being located approximately two miles east of Reno).

NOTE: Applicant presently holds common carrier authority in MC-108941 and Subs thereunder, therefore dual operations may be involved.

HEARING: April 26, 1961, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 119632 (Sub No. 7), filed February 6, 1961. Applicant: REED LINES, INC., 210 North Clinton Street, Defiance, Ohio. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Canned milk, evaporated milk and products thereof*, from Bryan, Ohio, to Washington, D.C., and to points in New York, Maryland, New Jersey, Tennessee, Connecticut, Delaware, Kentucky, Massachusetts, Rhode Island, Virginia, and to those in Pennsylvania, on and east of U.S. Highway 219, and to those in West Virginia, on, east, and south of U.S. Highway 50 and U.S. Highway 119, and *returned shipments, empty containers or other incidental facilities* (not specified), used in transporting the commodities specified above, on return.

HEARING: March 30, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Donald R. Sutherland.

No. MC 119906 (Sub No. 1), filed September 26, 1960. Applicant: HAROLD JACKSON, doing business as JACKSON EQUIPMENT, 2221 McCarran Avenue, Las Vegas, Nev. Applicant's attorney: William W. Morris, Suite 105 Friedman Building, 300 Fremont, Las Vegas, Nev. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Scrap metals and scrap paper*, from points in Clark County, Nev., to points in Los Angeles County, Calif., and *empty containers or other such incidental facilities*, used in transporting the above described commodities, on return. (2) *Steer manure and building materials* (as specified in MCC 61-209 Appendix) and *empty containers or other such incidental facilities*, used in transporting the above described commodities, between points in Los Angeles County, Calif., and points in Clark County, Nev.

HEARING: April 25, 1961, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 123077 (AMENDMENT), filed September 19, 1960, published in the FEDERAL REGISTER, issue of October 26, 1960. Applicant: PETER CHERKOS, JR., doing business as DEL VAL ENTERPRISES, P.O. Box 442, Fort Dix Avenue, Wrightstown, N.J. Applicant's representative: Charles H. Trayford, 155 East 40th Street, New York 16, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in a drive-away and tow-away service including services such as: Gas, oil and grease; overhauls; repairs; wash, polish; battery replacements; tune-up; tire changes and replacements; installation of windshield wipers; installation of hub caps; obtaining of license plates; pick-up at or delivery to steamship piers; and clearance through Customs if necessary, between Wrightstown, Fort Dix, and McGuire Air Force Base, N.J., on the one hand, and, on the other, Philadelphia, Pa. and the New York, N.Y., Commercial Zone, as defined by the Commission. RESTRICTION: Applicant states the proposed service shall be restricted to (1) providing service to military personnel only. (2) Tow-away service to

be provided only in the event vehicles are not in condition to be driven.

HEARING: April 6, 1961, at the U.S. Army Reserve Building, 30 West 44th Street, New York, N.Y., before Examiner Leo A. Riegel.

No. MC 123115 (Sub No. 1), filed January 19, 1961. Applicant: BEN PACKER, doing business as PACKER TRANSPORTATION CO., 465 South 17th Street, Sparks, Nev. Applicant's attorney: Royal A. Stewart, 6 State Street, P.O. Box 2942, Reno, Nev. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, finished and unfinished; *timber*, rough or surfaced; *wooden moulding, shelving, jambs and casings; box shooks; wooden columns; wooden doors; doors and frames combined; door sills; flooring; door or window frames; mouldings; boards or sheets (flat) consisting of sawdust or ground wood with added resin binder; wooden fence pickets; props or timbers; wooden piling; poles; wooden posts; wooden rafters; wooden roof trusses; wooden shingles; railroad ties; veneer, wood buildup or combined with plywood; and wooden palates*; (a) from points in Washoe and Douglas Counties, Nev., to points in California; (b) from points in California to points in Nevada through Washoe and Douglas Counties, including points in Washoe and Douglas Counties, Nev.; (c) from points in Washoe County, Nev., to points in Nevada, including Washoe County; and (d) from points in California through Washoe and Douglas Counties, Nev., to points in California.

HEARING: April 27, 1961, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 123195, filed November 7, 1960. Applicant: JORAE, INC., 76 Perrin Avenue, Pompton Lakes, N.J. Applicant's attorney: Leon E. Greenhouse, Raymond Commerce Building, 11 Commerce Street, Newark 2, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Re-manufactured automobile parts and used components and parts* to be used in re-manufacturing, *old cores or shells* which must be identified and sorted because of valuation, obsolescence and use, which are being returned to the shipper for re-manufacturing purposes, between points in New Jersey, New York, Connecticut, and Massachusetts.

HEARING: March 29, 1961, at the U.S. Court Rooms, Newark, N.J., before Examiner Leo A. Riegel.

No. MC 123235, filed November 23, 1960. Applicant: FARRELL OLLIS, Route No. 2, Bakersville, N.C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lumber*; from Harlan, Ky., to Crossville, Morristown, Newport, Knoxville, and Johnson City, Tenn.; Barbourville and Lexington, Ky.; Cincinnati, Ohio, Bluefield, W. Va., Asheville, Rocky Mount, Black Mountain, Morganton, Marion, Lexington, Winston-Salem, Hudson, Lenoir, Statesville, and Lincoln-

ton, N.C., Bristol and Marion, Va., and *empty containers or other such incidental facilities*, used in transporting lumber, on return.

HEARING: March 20, 1961, at the U.S. Court Rooms, Charlotte, N.C., before Examiner William R. Tyers.

No. MC 123322 (REPUBLICATION AND CORRECTION), filed December 23, 1960, published FEDERAL REGISTER issue of February 15, 1961. Applicant: BEATTY MOTOR EXPRESS, INC., Jefferson Avenue Extension, Washington, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Paper products, and materials and supplies* used in the manufacture of paper products, from Pittsburgh and Washington, Pa., to Winchester and Harrisonburg, Va., points in Frederick, Clarke, Rockingham, and Shenandoah Counties, Va., and that part of West Virginia on and east of a line beginning at the West Virginia-Maryland State line and extending along U.S. Highway 219 to Thomas, W. Va., thence along West Virginia Highway 32 to Harman, W. Va., thence along U.S. Highway 33 to Mouth of Seneca, W. Va., and thence along West Virginia Highway 28 to the West Virginia-Virginia State line; (2) *Damaged, defective, rejected, or returned shipments* of the commodities specified above, from the above-designated destination points to Pittsburgh and Washington, Pa.; (3) *Paper products, and materials, supplies, and equipment* (except machinery), used or useful in the manufacture of paper products, between Pittsburgh and Washington, Pa., on the one hand, and, on the other, Clarksburg and Grafton, W. Va.; (4) *Corrugated fibre products*, from Pittsburgh, Pa., to points in that part of Ohio and West Virginia within two (2) miles of the Ohio River beginning at the Ohio-Pennsylvania State line (near East Liverpool, Ohio), and extending to Moundsville, W. Va.; and (5) *Refused, rejected or damaged shipments* or corrugated fibre products, from the above-described destination territory to Pittsburgh, Pa.

NOTE: The purpose of this republication is to clarify the issues involved. The subject application is filed in accordance with the provisions contained in an order of Division 1, dated September 20, 1960, entered in the proceeding MC 78062 (Sub No. 30), a conversion proceeding instituted under section 212(c) of the Act. The filing of the instant application reflects applicant's election of an option to convert its Permit MC 78062 (Sub No. 44), not embraced in the previously referred to conversion proceeding, to common carrier authority. If the authority sought in this application is granted, applicant is willing that the corresponding permit be cancelled.

The "Note" appended to the previous publication is superseded in its entirety.

HEARING: Remains as assigned March 17, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Harold P. Boss.

No. MC 123341 (Sub No. 2), filed January 11, 1961. Applicant: I. L. & C. CORP., 4535 North Kedzie Avenue, Chicago, Ill. Applicant's attorney: Bernard F. Flynn, Jr., Industrial Building,

1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Video tape plants, machines, tape recording devices, accessories, parts and supplies thereof and thereto*, loose and in packages; *wearing apparel, materials and equipment used in, or pertaining to the manufacture thereof*, loose or in containers, and *containers*; between New York, N.Y., and Logansport and Huntington, Ind., Ishpeming, Mich., and Chicago, Ill.

HEARING: March 28, 1961, at the U.S. Court Rooms, Newark, N.J., before Examiner Leo A. Riegel.

No. MC 123352, filed January 6, 1961. Applicant: FREDERICK F. HIGGINS, doing business as MARK I MOBILE TRANSPORT, INC., 453 North Bedford Street, East Bridgewater, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes and pleasure craft, and empty containers or other such incidental facilities*, used in transporting the above-described commodities; between points in Maine, New Hampshire, and Massachusetts, on the one hand, and, on the other, points in Florida.

HEARING: April 11, 1961, at the New Post Office and Court House Building, Boston, Mass., before Examiner Leo A. Riegel.

No. MC 123359 (Sub No. 1), filed January 24, 1961. Applicant: P. & J. TRUCKING CORPORATION, 454 Westchester Avenue, Bronx 56, N.Y. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meat*, (1) from New York, N.Y., to Newark, Paterson, Hawthorne, and Elizabeth, N.J., and (2) from Newark, N.J., to New York, N.Y.

HEARING: April 7, 1961, at the U.S. Army Reserve Building, 30 West 44th Street, New York, N.Y., before Examiner Leo A. Riegel.

No. MC 123374, filed January 16, 1961. Applicant: PAUL SCALICE, 92 Elizabeth Street, New York 13, N.Y. Applicant's attorney: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by manufacturers of office supplies*, from the site of shipper's plant in Elizabeth, N.J., to New York, N.Y., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return. **RESTRICTION:** The operations proposed herein will be under a continuing contract with Wilson Jones Company of New York, N.Y.

NOTE: Applicant states he has served shipper in New York City for over nine years and shipper moving plant to Elizabeth, N.J.

HEARING: April 10, 1961, at the U.S. Army Reserve Building, 30 West 44th Street, New York, N.Y., before Examiner Leo A. Riegel.

No. MC 123405, filed February 1, 1961. Applicant: FOOD TRANSPORT, INC., P.O. Box 1041, York, Pa. Applicant's at-

torney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery and confectionery products*, in mechanically refrigerated trailers, from points in Derry Township, Dauphin County, Pa., to points in Florida.

HEARING: March 27, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 123425, filed February 13, 1961. Applicant: SUBURBAN PROPANE GAS CORPORATION, P.O. Box 206, Whippany, N.J. Applicant's attorney: F. Trowbridge vom Baur, 1700 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the sites of the terminals on the Trans Southern Pipe Lines, (1) at Hattiesburg, Miss., to points in Florida; (2) at Demopolis, Ala., to points in Alabama and Florida; (3) at Alexander City, Ala., to points in Alabama, Florida, Georgia, and Tennessee; (4) at Jonesboro, Ga., to points in Alabama, Florida, Georgia, South Carolina, and Tennessee; (5) at Anderson, S.C., to points in North Carolina, South Carolina, and Tennessee; (6) at Pineville, N.C., to points in North Carolina, South Carolina, Tennessee, and Virginia; (7) at Sanford, N.C., to points in North Carolina, Tennessee, and Virginia; (8) at Hawkinsville, Ga., to points in Alabama, Florida, Georgia, and South Carolina, and (9) at Waycross, Ga., to points in Alabama, Florida, Georgia, and South Carolina, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

HEARING: March 13, 1961, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner James I. Carr.

MOTOR CARRIERS OF PASSENGERS

No. MC 668 (Sub No. 71), filed January 18, 1961. Applicant: INTER-CITY TRANSPORTATION CO., INC., 730 Madison Avenue, Paterson, N.J. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, (1) between Midland Park, N.J., and New York, N.Y., from junction Central Avenue and Godwin Avenue in Midland Park, over Godwin Avenue to junction Goffie Avenue in Midland Park, thence over Goffie Avenue through Wyckoff to junction Goffie Avenue and Goffie Road at the Hawthorne-Wyckoff Municipal line, thence over Goffie Road to junction New Jersey Highway 208 in Hawthorne, N.J., thence over New Jersey Highway 208 through Glen Rock and Fair Lawn, N.J., to junction New Jersey Highway 4, thence over New Jersey Highway 4 to junction New Jersey Highway 17 in Paramus, N.J., thence over New Jersey Highway 17 to junction New Jersey Highway 3 in Rutherford, N.J.,

thence over New Jersey Highway 3 and the Lincoln Tunnel to New York, and return over the same route, serving the intermediate points of Wyckoff, Hawthorne, Glen Ridge, and Fair Lawn, N.J.; and (2) between Midland Park, N.J., and New York, N.Y., from junction Central Avenue and Godwin Avenue in Midland Park to junction New Jersey Highways 208 and 4 in Fair Lawn, as specified above, thence over New Jersey Highway 4 and the George Washington Bridge through Paramus, River Edge, Hackensack, Teaneck, Englewood, Englewood Cliffs, and Fort Lee, N.J., to New York, N.Y., and return over the same route, serving all intermediate points.

HEARING: April 4, 1961, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Joint Board No. 3.

No. MC 3647 (Sub No. 300), filed January 26, 1961. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling, 180 Boyden Avenue, Maplewood, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, in round trip sightseeing and pleasure tours, beginning and ending at Newark, Paterson, Hackensack and Jersey City, N.J., and extending to points in Nassau and Suffolk Counties, N.Y.

HEARING: April 18, 1961, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Joint Board No. 3.

No. MC 3647 (Sub No. 301), filed January 31, 1961. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling, 180 Boyden Avenue, Maplewood, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, in round trip ski tours, beginning and ending at Newark, N.J., and extending to points in New York, Pennsylvania, Massachusetts, Vermont, and New Hampshire.

HEARING: March 27, 1961, at the U.S. Court Rooms, Newark, N.J., before Examiner Leo A. Riegel.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 2633 (Sub No. 47), filed February 7, 1961. Applicant: WILLIAM F. CROSSETT, INC., P.O. Box 899, 404 Warren National Bank Building, Warren, Pa. Applicant's attorney: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oil*, in bulk, in tank vehicles, from the Plant of Esso Standard Division Humble Oil & Refining Co., Pittsburgh, Pa., to the Plants of New Process Gear Corporation, Syracuse and East Syracuse, N.Y.

No. MC 3261 (Sub No. 27), filed February 8, 1961. Applicant: **KRAMER BROS. FREIGHT LINES, INC.**, 4195 Central Avenue, Detroit 10, Mich. Applicant's attorney: Walter N. Bieneman, Guardian Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, and except dangerous explosives, livestock, household goods as defined by the Commission, and those requiring special equipment, between Painted Post, N.Y., and Mansfield, Pa., serving no intermediate points, and for the purpose of joinder only; from Painted Post, N.Y., over U.S. Highway 15 to Mansfield, Pa., and return over the same route.

No. MC 29866 (Sub. No. 1), filed February 7, 1961. Applicant: **WHITE STAR TRUCKING LINES, INC.**, 39 North Burbank Drive, Snyder 21, N.Y. Applicant's representative: William D. Traub, 350 Fifth Avenue, New York 1, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise dealt in by food business houses*; from Niagara Falls and Buffalo, N.Y., to Erie and Oil City, Pa., and *empty containers or other such incidental facilities*, used in transporting the above-described commodities, on return. **RESTRICTION:** Limited to a serve to be performed under a continuing contract, or contracts, with the National Biscuit Company.

NOTE: Applicant states that it is presently authorized to transport bakery products and cereals between the same points. No duplicating authority is requested.

No. MC 89684 (Sub. No. 33), filed January 13, 1961. Applicant: **WYCOFF COMPANY, INCORPORATED**, 560 South Second Street, Salt Lake City, Utah. Applicant's attorney: Harry D. Pugsley, 721 Continental Bank Building, Salt Lake City 1, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Telephone billing and accounting records*, such as toll tickets, cash stubs and service orders, moving in express service, between the offices of the Mountain States Telephone & Telegraph Company located in Idaho south of the Salmon River, and the Accounting Center of said Telephone & Telegraph Company, at Salt Lake City, Utah.

No. MC 113908 (Sub No. 75), filed February 14, 1961. Applicant: **ERICKSON TRANSPORT CORPORATION**, MPO Box 706, 706 West Tampa, Springfield, Mo. Applicant's attorney: Turner White III, 805 Woodruff Building, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus juice*, in bulk, in tank vehicles, from Weslaco, Tex., to points in the United States except Alaska and Hawaii.

No. MC 115691 (Sub No. 13), filed February 13, 1961. Applicant: **R. J. COKER**, doing business as **COKER TRUCKING COMPANY**, P.O. Box 398, Demopolis, Ala. Applicant's attorney: H. A. Lloyd, Lloyd & Dinning Building, Demopolis, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned*

goods, from points in Wisconsin to points in Alabama, Mississippi, Louisiana, Tennessee, Florida, and Georgia, and *damaged or defective shipments of canned goods*, on return.

No. MC 123135 (Sub No. 3), filed February 10, 1961. Applicant: **CHARLES BEIL & SONS, INC.**, Millstadt, Ill. Applicant's attorney: Delmar Knoebel, 608-11 Spivey Building, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry flour, whey and starch*, in bulk, between St. Louis, Mo., and East St. Louis, Ill., and Millstadt, Ill.

No. MC 123371, filed February 6, 1961. Applicant: **J. F. EDLIN, CHARLES R. EDLIN AND JOSEPH G. EDLIN**, a partnership, doing business as **J. F. EDLIN AND SONS**, Route 2, New Haven, Ky. Applicant's attorney: Herbert D. Liebman, 403 West Main Street, P.O. Box 233, Frankfort, Ky. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty, used, whiskey barrels*, from Frankfort, Ky., and points in Jessamine, Anderson, Woodford, and Franklin Counties, Ky., to points in Indiana, Illinois, Michigan, Ohio, Tennessee, and Kentucky, and *empty containers or other such incidental facilities*, used in transporting the above-specified commodities, on return.

No. MC 123413, filed February 6, 1961. Applicant: **ROBERT L. MARX**, doing business as **MARX TRUCK LINE**, 2400 South Royce Street, Sioux City, Iowa. Applicant's attorney: Wallace W. Huff, 314 Security Building, Sioux City, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Packing house products and other commodities dealt in by packing houses and packing house equipment, material and supplies*, from Sioux City, Iowa, to points in the Commercial Zone of Madison, Wis., and points in the Commercial Zone of Milwaukee, Wis., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

No. MC 123421, filed February 7, 1961. Applicant: **GLENDYL W. STONE**, doing business as **STONE TRUCKING COMPANY**, Box 206, Dale, Ind. Applicant's attorney: Harry J. Harman, 1110-1112 Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from Cannelton, Ind., to points in Illinois, Indiana, and Kentucky, and *empty containers or other such incidental facilities* (not specified) used in transporting clay products, on return.

NOTE: Applicant has contract carrier authority under MC 109723 and subs thereunder. A proceeding has been instituted under MC 109723 (Sub No. 7) to determine whether applicant's status is that of a common or contract carrier. Dual authority under Section 210 may be involved.

MOTOR CARRIER OF PASSENGERS

No. MC 45626 (Sub No. 44), filed February 13, 1961. Applicant: **VERMONT TRANSIT CO., INC.**, 135 St. Paul Street, Burlington, Vt. Applicant's attorney:

L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, between Proctorsville, Vt., and Ascutney, Vt.; from Proctorsville over Vermont Highway 131 to Ascutney, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only.

NOTICE OF FILING OF PETITION

No. MC 38541 (PETITION SEEKING REOPENING, RECONSIDERATION, AND MODIFICATION OF ITS "GRANDFATHER" RIGHTS), filed February 3, 1961. Petitioner: **WHITE MOTOR EXPRESS, INC.**, Lafayette, Tenn. Petitioner's attorneys: Clarence Evans, 710 Third National Bank Building, Nashville 3, Tenn., and Richard Gleaves, 106 State Office Building, Nashville, Tenn. Petitioner is authorized in Certificate No. MC 38541 to conduct operations, which are here pertinent, as follows: *General commodities*, except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, over regular routes, between Louisville, Ky., and Lebanon, Tenn., as follows: From Louisville over U.S. Highway 31W to Elizabethtown, Ky., thence over Kentucky Highway 61 to Hodgenville, Ky., thence over U.S. Highway 31E to Westmoreland, Tenn., thence over Tennessee Highway 52 to Lafayette, Tenn., and thence over Tennessee Highway 10 to Lebanon; and return from Lebanon over Tennessee Highway 26 to Smithville, Tenn., thence over Tennessee Highway 56 to junction unnumbered highway, thence over unnumbered highway to Chestnut Mound, Tenn., thence over Tennessee Highway 53 to Celina, Tenn., thence over Tennessee Highway 52 to Lafayette, Tenn., and thence to Louisville as specified above. Service is authorized to and from all intermediate points in Tennessee; and the off-route points of La Guardo, Carthage, Dixon Springs, Pleasant Shade, Difficult, Whiteyville, Gordonsville, and Willette, Tenn. The subject petition, filed February 3, 1961, requests the Commission enter an order reopening and setting the matter for further hearing if the Commission deems a hearing necessary, and authorize petitioner to conduct operations transporting the above-named commodities as follows: Between Louisville, Ky., and Lebanon, Tenn., as follows: (a) From Louisville over U.S. Highway 31W to Elizabethtown, Ky., thence over Kentucky Highway 61 to Hodgenville, Ky., thence over U.S. Highway 31E to Westmoreland, Tenn., thence over U.S. Highway 52 to Lafayette, Tenn., and thence over Tennessee Highway 10 to Lebanon; (b) and also between Lafayette, Tenn., and Lebanon, Tenn., as follows: From Lafayette over Tennessee Highway 52 to Celina, thence over Ten-

nessee Highway 53 to Gainesboro, thence over Tennessee Highway 56 to Smithville, thence over Tennessee Highway 26 to Lebanon; (c) service is also authorized over irregular routes between all points lying within the area within Tennessee bounded by Route (b) above and that portion of Route (a) above lying between Lebanon and Lafayette, Tenn., all on the one hand, and, on the other hand, all points lying on either Route (a) or Route (b) above; (d) service is authorized to and from all intermediate points in Tennessee along Routes (a) and (b) above; (e) service is authorized in either direction over any route or combination of routes. All of the foregoing comprises one grant of authority, but with the parts thereof hereinabove to be used together to perform service, and the authority herein granted may also be used by joining with all other operating authority now held. Any person or persons desiring to oppose the relief sought, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F 7724. Correction. (CONSOLIDATED COPPERSTATE LINES—PURCHASE (PORTION)—PAUL W. NIELSEN (DALE M. BELTS, RECEIVER), published in the December 14, 1960, issue of the FEDERAL REGISTER on page 12860. The commodity description sought to be transferred should read as follows: "General commodities, except household goods as defined by the Commission, commodities of unusual value, those requiring the use of special equipment, livestock, and petroleum products, in bulk, in tank vehicles * * *"

No. MC-F 7772. (Correction). FURNITURE EXPRESS, INC.—PURCHASE—NORMAN L. LAWSON (ALFRED G. FORD, TRUSTEE), published in the February 1, 1961, issue of the FEDERAL REGISTER on page 1009. The following authority should be deleted: *New furniture*, over regular routes from Boston, Mass., to Waterville, Maine, serving all intermediate points restricted to delivery only, and from Portland, Maine, to Bangor, Maine, serving all intermediate points restricted to delivery only. Application for temporary authority under section 210a(b) was published in the February 15, 1961, issue of the FEDERAL REGISTER.

No. MC-F 7784. (Correction). (HIGHWAY TRANSPORT CO.—PURCHASE (PORTION)—DALLAS & MAVIS FORWARDING CO., INC.) published in the February 15, 1961, issue of the FEDERAL REGISTER on page 1331. The name of M. M. MORSE should have been shown in lieu of M. M. Easter.

No. MC-F 7788. Authority sought for purchase by KENNETH K. ZECHMAN and HARRY E. ZECHMAN, a partnership, doing business as BLUE DIAMOND COMPANY, 4401 East Fairmount Ave., Baltimore 24, Md., of the operating rights of THOMAS F. BUZBY, an individual, doing business as MARYLAND-PENNSYLVANIA EXPRESS, 2001 Wells Manor Avenue, Baltimore 7, Md. Applicants' attorney: Bernard N. Gingerich, Quarryville, Pa. Operating rights sought to be transferred: *Salt*, as a common carrier over irregular routes from Ludlowville, Silver Springs and Watkins Glen, N.Y., to points in Maryland and Virginia (except points in those parts of Maryland and Virginia south of the Chesapeake and Delaware Canal and east of the Chesapeake Bay), and the District of Columbia. Vendee is authorized to operate as a common carrier in Pennsylvania, Ohio, New York, Maryland, Delaware, Virginia, New Jersey, West Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7790. Authority sought for control and merger by BRUCE MOTOR FREIGHT, INC., 2011 Easton Boulevard, Des Moines 11, Iowa, of the operating rights and property of HENNEPIN TRANSPORTATION CO., INC., 23 Northeast Fourth Street, Minneapolis 13, Minn., and for acquisition by E. W. HARLAN, 2011 Easton Boulevard, Des Moines 11, Iowa, of control of such rights and property through the transaction. Applicants' attorneys: Rex H. Fowler, Des Moines 9, Iowa, and Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago 3, Ill. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes between Minneapolis, Minn., and Chicago, Ill., serving certain intermediate and off-route points, restricted to southbound traffic only, between Hudson, Wis., and Milwaukee, Wis., serving certain intermediate and off-route points, and several alternate routes for operating convenience only. *General commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes between points in Minnesota within 35 miles of Minneapolis, Minn., including Minneapolis, Minn., between points in Illinois north of U.S. Highway 30, and points in Indiana north of U.S. Highway 30 and west of Indiana Highway 51, including specified points, on the one hand, and, on the other, points on the regular service routes specified above. *Butter, eggs, poultry, dressed rabbits, meat, canned goods, paper, and junk*, to certain specified points in Minnesota. BRUCE MOTOR FREIGHT, INC., is authorized to operate as a common carrier in Minnesota, Iowa, Missouri and Illinois. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7791. Authority sought for purchase by DONALD LEE WALKER, doing business as LEE WALKER, OIL-FIELD CONTRACTOR, 922 North Clos-

ner, Edinburg, Texas, is the same as LEE WALKER, holder of certificate No. MC-85445 Sub 1, of the operating rights of RIG MOVERS, INC., 1000 North Closner, Edinburg, Texas. Applicant's attorneys and representative respectively: Rogers Kelley, Kelley, Looney, McLean & Litleton, Woodroof Building, Edinburg, Texas, Wilson, Woods & Villalon, Perpetual Building, 1111 E Street NW., Washington 4, D.C., and Donald Lee Walker, P.O. Drawer 268, Edinburg, Texas. Operating rights sought to be transferred: *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, as a common carrier over irregular routes between points in Texas. Vendee is authorized to operate as a common carrier in Texas. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7792. Authority sought for purchase by NORTHEASTERN TRUCKING COMPANY, Route 11, McDonald Road, Charlotte, N.C., of the operating rights and certain property of BLUME, INC. OF NEW JERSEY, 4325 Bath Street, Philadelphia, Pa., and for acquisition by JOHN F. GUIGNARD, 1987 Maryland Avenue, Charlotte, N.C., of control of such rights and property through the purchase. Applicants' attorney: Daniel B. Johnson, 522 Transportation Building, Washington 6, D.C. Operating rights sought to be transferred: *General commodities*, excepting, among others, commodities in bulk, but not excepting household goods, as a common carrier over irregular routes between Philadelphia, Pa., on the one hand, and, on the other, points in Connecticut, New York (not including New York, N.Y.), New Jersey, and Pennsylvania. Vendee is authorized to operate as a common carrier in North Carolina, Virginia, Maryland, Pennsylvania, New Jersey, New York, Illinois, and South Carolina. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7793. Authority sought for purchase by LOMBARD BROS., INCORPORATED, 249 Mill St., Waterbury 20, Conn., of the operating rights of EVERETT M. MILLIS, doing business as AYER MOTOR EXPRESS, 39 Central Avenue, Ayer, Mass., and for acquisition by JOSEPH R. LOMBARD, and CLOTILDA LOMBARD, both of New Haven Road, Prospect, Conn., and GIOCONDA LOMBARD, 764 Bunker Hill Avenue, Waterbury, Conn., and by (JOSEPH R. LOMBARD, LOUIS L. LOMBARD AND CLOTILDA LOMBARD, EXECUTORS) of the Estate of Nicholas Lombard, of control of such rights through the purchase. Applicants' attorneys: Joseloff, Murrett & Throwe, 410 Asylum Street, Hartford 3, Conn. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier over a regular route between Boston, Mass., and Fitchburg, Mass., serving all inter-

mediate and certain off-route points. Operations under the Second Proviso of section 206(a) (1) of the Interstate Commerce Act, covering the transportation of general and specific commodities in a radial area within the State of Massachusetts. Vendee is authorized to operate as a common carrier in Massachusetts, Connecticut, Pennsylvania, New Jersey, Rhode Island, and New York. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-42289 Sub 4 is a matter directly related, and will be published in the FEDERAL REGISTER at a later date.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 61-1561; Filed, Feb. 21, 1961;
8:47 a.m.]

[Notice 452]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 17, 1961.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. 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 35358. By order of February 15, 1961, the Transfer Board approved the lease for a period of one year, to Michael J. Toro and Nicholas Toro, a partnership, doing business as Toro Bros. Trucking, New Haven, Conn., of Certificate in No. MC 109899 Sub 1, issued December 29, 1952, to Albert Zampello, doing business as A. Z. Trucking Company, East Haven, Conn., authorizing the transportation of: Paper, paper articles, wooden boxes, electric fixtures, new furniture and materials and supplies used in the manufacture of new furniture, and household goods, from, to, or between, specified points in Connecticut, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. Reubin Kaminsky, 410 Asylum Street, Hartford, Conn., attorney for applicants.

No. MC-FC 35360. By order of February 15, 1961, the Transfer Board approved the lease to Frank Hall Trucking Company, Inc., Seminole, Okla., of Certificate No. MC 60157, issued June 27, 1955, to C. A. White Trucking Company, a corporation, Oklahoma City, Okla., authorizing the transportation, over irregular routes, of machinery, equipment,

materials and supplies used in the discovery, development, production, refining, manufacture, process storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, between points in Oklahoma, Kansas, and Texas, and between points in Seminole and Potawatomie Counties, Okla., on the one hand, and, on the other, points in Arkansas and Illinois. Rufus H. Lawson, P.O. Box 7342, Oklahoma City, Okla., attorney for applicants.

No. MC-FC 63710. By order of February 15, 1961, the Transfer Board approved the transfer to Harold Causley, doing business as Causley Trucking Company, Fairgrove, Mich., of a portion of Certificate No. MC 106893 Sub 11, issued June 14, 1954, to Phillip G. Wiederhold and Edward E. Wiederhold, doing business as Wiederhold Brothers, Elkton, Michigan, authorizing the transportation of: Canned fruits and vegetables, from Rochelle, DeKalb and Mendota, Ill., to Alpena and Pontiac, Mich., and points in Michigan on, north, and east of a line extending from Port Huron along Michigan Highway 21 through Lapeer and Davison to Flint, Mich., thence along U.S. Highway 10 through Pine Run to Saginaw, Mich., and thence along Michigan Highway 47 to Saginaw Bay. Ralph I. Selby, 506 Bay City Bank Building, Bay City, Mich., attorney for applicants.

No. MC-FC 63817. By order of February 15, 1961, the Transfer Board approved the transfer to M. F. Butler, Jr., and M. F. Butler, Sr., a partnership, doing business as Oswego Lime Delivery Company, P.O. Box 174, Oswego, Oreg., of Certificate No. MC 106580 Sub 1, issued November 27, 1946, to M. F. Butler, Jr., P.O. Box 174, Oswego, Oreg., authorizing the transportation, over irregular routes, of ground limestone, in bulk and in sacks, from Oswego, Oreg., to points in six specified counties in Washington.

No. MC-FC 63944. By order of February 15, 1961, the Transfer Board approved the transfer to Crouse Cartage Company, a corporation, Carroll, Iowa, of Certificates Nos. MC 85882 Sub 1 and MC 85882 Sub 6, issued January 18, 1957, and May 16, 1958, respectively, to Paul Crouse, doing business as Crouse Cartage Company, Carroll, Iowa, authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and the usual exceptions over regular routes, between Omaha, Nebr., and Carroll, Iowa, serving all intermediate points and the off-route points of Arcadia and Halbur, Iowa; between Sioux City, Iowa, and Des Moines, Iowa, serving all intermediate points between Sioux City and Bagley, Iowa, and specified off-route points; between Denison, Iowa, and Des Moines, Iowa; between Mapleton, Iowa, and Carroll, Iowa, serving all intermediate points and specified off-route points; between Auburn, Iowa, and Fort Dodge,

Iowa, serving specified intermediate points; between Jefferson, Iowa, and Council Bluffs, Iowa; between Omaha, Nebr., and Jefferson, Iowa, serving all intermediate points and specified off-route points; between Jefferson, Iowa, and Denison, Iowa, serving all intermediate points and specified off-route points; between Denison, Iowa, and Ida Grove, Iowa, serving all intermediate points and the off-route point of Kiron, Iowa; between Manning, Iowa, and Omaha, Nebr., serving all intermediate points and specified off-route points; general commodities, excluding household goods and the usual exceptions, over irregular route, between Walnut, Iowa, and points within 20 miles of Walnut, on the one hand, and, on the other, Omaha, Nebr. Russell H. Wilson, 602 Seventh Street, Des Moines 14, Iowa, attorney for applicants.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 61-1562; Filed, Feb. 21, 1961;
8:47 a.m.]

TEXAS MOTOR EXPRESS AND FILM CARRIERS ASSOCIATION

Application for Approval of Agreement

FEBRUARY 17, 1961.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed: February 10, 1961, by J. L. Burch, Jr., 717 Frost Bank Building, San Antonio 5, Tex.

Agreement involved: Agreement between and among common carriers by motor vehicle, members of Texas Motor Express and Film Carriers Association, relating to joint consideration, initiation, change, or publication of rates, exceptions to classifications, ratings, rules, regulations, or practices governing the transportation of property between points in the United States.

The complete application may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 61-1563; Filed, Feb. 21, 1961;
8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1376]

BROAD STREET INVESTING CORP.

Notice of Filing of Application

FEBRUARY 15, 1961.

Notice is hereby given that Broad Street Investing Corporation ("Broad Street"), New York, New York, a registered open-end investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all of the cash and securities of The Jessel Corporation ("Jessel").

Shares of Broad Street, a Maryland corporation, are offered to the public on a continuous basis at net asset value plus varying sales charges dependent on the amount purchased. As of December 31, 1960, the net assets of Broad Street amounted to \$206,637,542.

Jessel, a Tennessee corporation, is an investment company having six stockholders, with one other person having a beneficial interest in its stock, which engages in the business of investing and reinvesting its funds. Jessel is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between Broad Street and Jessel substantially all of the cash and securities of Jessel, with a total value of \$3,625,771 as of December 31, 1960, will be transferred to Broad Street in exchange for shares of stock of Broad Street. The shares acquired by Jessel are to be distributed immediately to its shareholders, who intend to take such shares for investment with no present intention of distribution or redemption. The number of shares of Broad Street to be delivered to Jessel will be determined by dividing the net asset value per share of Broad Street in effect at the closing time into the value of the Jessel assets to be exchanged (with certain adjustments as set forth below).

Since the exchange will be tax free for Jessel and its shareholders, Broad Street's cost basis for tax purposes on the assets acquired from Jessel will be the same as for Jessel, rather than the price actually paid by Broad Street for the assets. Of the assets to be acquired from Jessel, Broad Street intends to retain in its portfolio, subject to changes in investment conditions and considerations, securities having a value as of December 31, 1960, of \$1,517,206 including unrealized appreciation of \$271,681. Other securities to be acquired from Jessel will be sold by Broad Street after acquisition. As of December 31, 1960, the market value of these securities was \$1,808,565 and the unrealized capital gain thereon was \$528,065. As of December 31, 1960, Broad Street had unrealized appreciation of \$57,133,621 and no undistributed realized gains.

Because Broad Street will acquire securities from Jessel at a tax-cost basis less than the price actually paid therefor, their sale after acquisition will result in artificial capital gains and consequent tax liability thereon to the present shareholders of Broad Street. As an offset to this unfavorable tax consequence, the acquisition of the Jessel assets will result in a potential tax benefit to the present shareholders of Broad Street by reason of a reduction in the net unrealized appreciation applicable to their shares. An adjustment, which takes into account the tax consequences of the exchange, is to be made in the value of the Jessel assets in accordance with the following formula:

(1) In respect of the securities of Jessel that Broad Street presently intends to sell and the resulting artificial capital gain thereon, there shall be determined the difference between net unrealized taxable capital gain on said securities and the portion of the realized but undistributed taxable long-term capital gain of Broad Street allocable to the aggregate shares of Broad Street to be issued to Jessel. (Such difference, as of December 31, 1960, amounted to approximately \$528,065.)

(2) In respect of the securities of Jessel that Broad Street presently intends to hold following acquisition, there shall be determined the difference between net unrealized taxable capital gain on said securities and the portion of Broad Street's unrealized appreciation applicable to the aggregate shares of Broad Street to be issued to Jessel determined on a pro forma basis giving effect to the acquisition of the assets of Jessel. (Such difference as of December 31, 1960, amounted to a negative amount of approximately \$700,765.)

(3) The amount computed under (1) shall be increased by the amount, if positive, or decreased by 50 percent of the amount, if negative, computed under (2), and 12½ percent of the resulting amount, if any (approximately \$177,682 as of December 31, 1960), which is the adjustment for excess unrealized appreciation of Jessel, shall be applied to reduce the value of the assets of Jessel to be acquired. If the valuation under the agreement had taken place on December 31, 1960, the adjustment to the market value of the assets of Jessel to be acquired would have amounted to approximately \$22,210.

The application, in the foregoing formula, of a 50 percent factor to the reduction in unrealized appreciation resulting from the acquisition of the Jessel assets, is intended to recognize that this will be of full benefit to the present shareholders of Broad Street only in the indefinite future at such time, if any, as all the present unrealized appreciation in Broad Street's portfolio is realized, whereas an immediate tax liability will result from the realization of artificial capital gains upon the sale after acquisition of certain securities acquired from Jessel. The rate of 12½ percent applied to the excess unrealized appreciation of Jessel is used as an estimated measure of the average tax rate payable on capital gains by Broad Street shareholders.

Applicant points out that the proposed acquisition is in the best interests of its shareholders because the resulting increase in its assets will tend to reduce per share expenses, since it is furnished investment research and administrative facilities and services at cost.

The application recites that the terms of the entire transaction were arrived at through arm's-length bargaining between Broad Street and Jessel. The application further states that there is no affiliation or relationship of any kind between the officers and directors of Broad Street and the officers, directors, and stockholders of Jessel.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the Agreement, however, the shares of Broad Street are to be issued to Jessel at a price other than the public offering price stated in the prospectus, which lists a sales charge of 1.8 percent for sales of \$500,000 or over.

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

Notice is further given that any interested person may, not later than March 3, 1961, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 61-1548; Filed, Feb. 21, 1961;
8:45 a.m.]

[File 7-2135]

ARMOUR AND CO.

Notice of Application for Unlisted
Trading Privileges and Opportunity
for Hearing

FEBRUARY 16, 1961.

In the matter of application of the
Pacific Coast Stock Exchange for un-

listed trading privileges in certain securities.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f) (2) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock and warrants of the following company, which securities are listed and registered on one or more other national securities exchanges:

Armour and Company (Del.), File 7-2135.

Upon receipt of a request, on or before March 3, 1961, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views of any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by Order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 61-1549; Filed, Feb. 21, 1961;
8:45 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. 933]

PUGET SOUND-ALASKA VAN LINES, INC.; INCREASED RATES ON BLASTING CAPS AND HOUSEHOLD GOODS

Notice of Investigation and Hearing

On February 9, 1961, the Federal Maritime Board entered the following order:

It appearing that there have been filed with the Federal Maritime Board by Puget Sound-Alaska Van Lines, Inc., consecutively numbered revised pages to Freight Tariffs F.M.B.-F. No. 1 and F.M.B.-F. No. 4, setting forth increased rates on certain designated commodities between ports in the States of California and Washington and ports in the State of Alaska to become effective February 10, 1961, designated as follows:

(1) Tariff No. 1, F.M.B.-F. No. 1, 2d and 3d Revised Pages No. 13, 1st and 2d Revised Pages No. 15, 1st and 2d Revised Pages No. 38.

(2) Tariff No. 4, F.M.B.-F. No. 4, 1st and 2d Revised Pages No. 11, 1st and 2d Revised Pages No. 13, 1st and 2d Revised Pages No. 34.

It further appearing that a protest has been received from the State of Alaska

petitioning the Board to suspend said increases; and

It further appearing that upon consideration of the said schedules, there is reason to believe that they would, if permitted to become effective, result in rates and charges, rules and regulations or practices which would be unjust and unreasonable or otherwise unlawful in violation of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, as amended; and good cause appearing therefor;

It is ordered, That an investigation be, and it is hereby, instituted into and concerning the lawfulness of the rates, charges, rules, regulations, and practices contained in said schedules with a view to making such findings and orders in the premises as the facts and circumstances shall warrant; and

It is further ordered, That the operation of said schedules be, and they are hereby suspended in full, and that the use thereof be deferred to and including June 9, 1961, unless otherwise ordered by the Board; and

It is further ordered, That the schedules hereby suspended may not be changed until this investigation and suspension proceeding has been disposed of or until the period of suspension has expired, unless otherwise authorized by the Board; and

It is further ordered, That there shall be filed immediately with the Board by the Puget Sound-Alaska Van Lines, Inc., a consecutively-numbered supplement to Tariff F.M.B.-F. No. 1 and Tariff F.M.B.-F. No. 4 which shall reproduce the portion of this Order wherein the suspended designated schedules are described, and shall state that such schedules are suspended and that the rates, charges, rules, regulations and practices therein stated may not be used until the tenth day of June 1961, unless otherwise authorized by the Board; and that neither the rates, charges, rules, regulations and practices hereby deferred nor those sought to be altered thereby, may be changed during the period of suspension or any extension thereof, unless otherwise authorized by the Board; and

It is further ordered, That copies of this order shall be filed with said tariff schedules in the Office of Regulations of the Federal Maritime Board; and

It is further ordered, That the investigation herein ordered be assigned for hearing before an examiner of the Board's Office of Hearing Examiners at a date and place to be determined and announced by the Chief Examiner; that Puget Sound-Alaska Van Lines, Inc., be, and is hereby made respondent in this proceeding; that a copy of this order shall be forthwith served upon respondent and protestant; that respondent and protestant be duly notified of the time and place of the hearing herein ordered; and that this order be published in the FEDERAL REGISTER.

Notice is hereby given that the hearing in this proceeding will be held before an examiner of the Board's Office of Hearing Examiners at a date and place hereafter to be announced. The hearing will be conducted in accordance with the Board's rules of practice and procedure,

and an initial decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies), having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Board promptly and file petitions for leave to intervene in accordance with Rule 5(n) (46 CFR § 201.74) of said rules.

Dated: February 16, 1961.

By order of the Federal Maritime Board.

THOMAS LIST,
Secretary.

[F.R. Doc. 61-1551; Filed, Feb. 21, 1961;
8:46 a.m.]

BRISTOL CITY LINE OF STEAMSHIPS LTD. ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U.S.C. 814):

Agreement No. 8567, between Bristol City Line of Steamships Ltd., and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Bristol Channel ports to Puerto Rico, with transshipment at New York, Baltimore or Philadelphia. Agreement No. 8567, upon approval, will supersede and cancel approved Agreement No. 7803, between Bristol City Line and Bull Insular Line, Inc., in the same trade.

Agreement No. 8568, between Flota Argentina De Navegacion De Ultramar (Doder Lines) and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Argentina, Uruguay, and Brazil to Puerto Rico with transshipment at New York, Baltimore, or Philadelphia. Agreement No. 8568, upon approval, will supersede and cancel approved Agreement No. 8381, between Flota and Bull Insular Line, Inc., in the same trade.

Agreement No. 8569, between A/S J. Ludvig Mowinckels Rederi and A. H. Bull Steamship Co. covers a through billing arrangement in the trade from ports in the French North Atlantic Range, Bordeaux-Dunkirk, to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia. Agreement No. 8569, upon approval, will supersede and cancel approved Agreement No. 7815, between A/S J. Ludvig Mowinckels Rederi and Bull Insular Line, Inc., in the same trade.

Agreement No. 8571, between Nederlandsch-Amerikaansche Stoomvaart Maatschappij Holland-Amerika Lijn (Holland-America Line) and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Belgium and Holland to Puerto Rico with transshipment at New York, Baltimore or Philadelphia. Agreement No. 8571, upon approval, will supersede and cancel approved Agreement No. 7686, between Holland America Line and Bull Insular Line, Inc., in the same trade.

Agreement No. 8572, between Den Norske Amerikalinje A/S (The Norwegian American Line) and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Norway and Denmark to Puerto Rico with transshipment at New York, Baltimore or Philadelphia. Agreement No. 8572, upon approval, will supersede and cancel approved Agreement No. 7827, between Norwegian American Line and Bull Insular Line, Inc., in the same trade.

Agreement No. 8573, between Thos. & Jno. Brocklebank Ltd. (Brocklebanks Cunard Service) and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from India and Pakistan to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia. Agreement No. 8573, upon approval, will supersede and cancel approved Agreement No. 8038, between Brocklebank and Bull Insular Line, Inc., in the same trade.

Agreement No. 8574, between Anchor Line, Limited, and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from the United Kingdom of Great Britain and Northern Ireland to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia. Agreement No. 8574, upon approval, will supersede and cancel approved Agreement No. 7804, between Anchor Line and Bull Insular Line, Inc., in the same trade.

Agreement No. 8576, between Compagnie Maritime Des Chargeurs Reunis and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from French Equatorial Africa to Puerto Rico, with transshipment at New York, Baltimore or Philadelphia. Agreement No. 8576, upon approval, will supersede and cancel approved Agreement No. 8287, as amended, between Compagnie Maritime and Bull Insular Line, Inc., in the same trade.

Agreement No. 8577, between Black Diamond Steamship Corp., and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Belgium and Holland to Puerto Rico, with transshipment at New York, Baltimore or Philadelphia. Agreement No. 8577, upon approval, will supersede and cancel approved Agreement No. 7681, between Black Diamond and Bull Insular Line, Inc., in the same trade.

Agreement No. 8578, between Cunard Steam-Ship Co., Ltd., and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from the United Kingdom of Great Britain and Northern Ireland to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia. Agreement No. 8578, upon approval, will supersede and cancel approved Agreement No. 7682, as amended, between Cunard and Bull Insular Line, Inc., in the same trade.

Agreement No. 8582, between A/B Svenska Amerika Linien (Swedish American Line) and Rederiaktiebolaget Transatlantic (The Transatlantic Steamship Co., Ltd.) as one party only, and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Norway, Sweden, Finland, Denmark, and Poland to Puerto Rico, with transshipment at New York, Baltimore or

Philadelphia. Agreement No. 8582, upon approval, will supersede and cancel approved Agreement No. 7868, between Swedish American, Transatlantic and Bull Insular Line, Inc., in the same trade.

Agreement No. 8583, between Moore-McCormack Lines, Inc., and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Norway, Sweden, Finland, Denmark, and Poland to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia. Agreement No. 8583, upon approval, will supersede and cancel approved Agreement No. 7811, between Moore-McCormack and Bull Insular Line, Inc., in the same trade.

Agreement No. 8584, between Moore-McCormack Lines, Inc., and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Uruguay, Brazil, and Argentina to Puerto Rico, with transshipment at New York, Baltimore, or Philadelphia. Agreement No. 8584, upon approval, will supersede and cancel approved Agreement No. 8272, between Moore-McCormack and Bull Insular Line, Inc., in the same trade.

Interested parties may inspect these agreements and obtain copies thereof at the Office of Regulations, Federal Maritime Board, Washington, D.C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: February 16, 1961.

By order of the Federal Maritime Board.

THOMAS LISI,
Secretary.

[F.R. Doc. 61-1552; Filed, Feb. 21, 1961;
8:46 a.m.]

Office of the Secretary

JAMES B. COOK, JR.

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months.

- A. Deletions: No change.
- B. Additions: No change.

This statement is made as of February 8, 1961.

Dated: February 8, 1961.

JAMES B. COOK, JR.

[F.R. Doc. 61-1557; Filed, Feb. 21, 1961;
8:47 a.m.]

JAMES F. REID, SR.

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Pro-

duction Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months.

- A. Deletions: No change.
- B. Additions: No change.

This statement is made as of February 9, 1961.

Dated: February 9, 1961.

JAMES F. REID, SR.

[F.R. Doc. 61-1558; Filed, Feb. 21, 1961;
8:47 a.m.]

JAMES P. WHITLOCK

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months.

- A. Deletions: No change.
- B. Additions: No change.

This statement is made as of January 30, 1961.

Dated: February 7, 1961.

JAMES P. WHITLOCK.

[F.R. Doc. 61-1559; Filed, Feb. 21, 1961;
8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-84]

REGENTS OF UNIVERSITY OF CALIFORNIA

Notice of Issuance of Utilization Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 2, set forth below, to License No. R-30. The amendment provides additional safeguards for the operation by the licensee of its reactor Model AGN-201, Serial No. 112, located on its campus in Berkeley, California. The Commission has found that operation of the reactor in accordance with the terms and conditions of the license, as amended, will not present any undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the operation of the reactor in accordance with the terms of the license as amended does not present any substantial changes in the hazards to the health and safety of the public from those presented by the previously approved operation of the reactor.

In accordance with the Commission's rules of practice (10 CFR, Part 2) the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon

receipt of a request therefor from the licensee or an intervenor within thirty days after the issuance of the license amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the AEC's Public Document Room, 1717 H Street, Washington, D.C. For further details see Docket No. 50-84 on file at the AEC's Public Document Room.

Dated at Germantown, Md., this 15th day of February 1961.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of
Licensing and Regulation.

[License No. R-30; Amdt. 2]

License No. R-30, as amended, which authorizes The Regents of The University of California to operate their reactor Model AGN-201, Serial No. 112, located on the campus of the University of California in Berkeley, California, is hereby amended by adding the following additional conditions thereto:

1. A maximum of 0.25 percent excess reactivity may be loaded in the reactor with the glory hole empty and with the access ports containing their design loadings. The total worth of any experiments loaded in the reactor shall not exceed 0.4 percent excess reactivity. The excess-reactivity loadings shall be determined at the operating temperature of the reactor.

2. The scram setting on the logarithmic scale micro-microammeter shall be set so that the power level at which the scram is to occur shall not exceed twice the licensed maximum power level and the period at which a scram is to occur shall not be less than five seconds.

3. The range selectors for the two linear channels shall be set so that the operator cannot switch to a scale on which the power level at which a scram is to occur is more than twice the licensed maximum power.

4. The reactor shall not be operated with any of the scram signals by-passed.

5. The licensee shall not conduct any experiment involving moving of the fixed fuel discs of the reactor unless authorized by an amendment to this license.

6. The control rod and safety rod magnet circuits shall reverse the current direction for the magnets at the time any scram relay is actuated.

7. The licensee shall, at least once during each month when the reactor is operated, check the ability of all safety rods and control rods to drop when the scram instrumentation is actuated. A record shall be

made of each instance in which one or more rods fails to scram when called upon to do so.

8. If one or more of the safety or control rods fails to scram when called upon to do so, the reactor shall immediately be shut down and shall not be started up until:

A. The probable cause of the scram malfunction has been determined and remedied; and

B. Cognizant reactor supervisor personnel and, to the extent applicable, the local reactor hazards committee have reviewed and concurred in the remedial action taken; and

C. A written record is made by the licensee of the events in A and B above.

9. The effectiveness of the corrective measures taken pursuant to condition 8 above shall be verified by scrambling the rods, which had previously failed to scram, several times under conditions similar to those under which they had failed. A written record of these tests shall be made. Should the rod again fail to scram during the tests, the reactor shall be shut down and the steps described in condition 8 above and this condition 9 shall be repeated.

This amendment is effective thirty days after the date of issuance.

Date of issuance: February 15, 1961.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director,
Division of Licensing and Regulation.

[F.R. Doc. 61-1543; Filed, Feb. 21, 1961; 8:45 a.m.]

CUMULATIVE CODIFICATION GUIDE—FEBRUARY

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