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Latest Revision**GUIDE TO
RECORD RETENTION
REQUIREMENTS**

[Updated to January 1, 1963]

Lists (1) published requirements (in laws and regulations) on the keeping of non-Federal records, (2) what records must be kept and who must keep them, and (3) retention periods.

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Rules and Regulations

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 14—SALES OF AGRICULTURAL COMMODITIES ON CREDIT UNDER LONG-TERM SUPPLY CONTRACTS

Subpart B—Policies and Procedures Applicable to Agreements With the Private Trade Pursuant to Title IV of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954, as Amended

- Sec.
- 14.51 General statement.
 - 14.52 Definition of terms.
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 - 14.64 Fees for services in obtaining agreements.
 - 14.65 Signing agreements.
 - 14.66 Compliance policies and provisions.
 - 14.67 Remedies and penalties.

AUTHORITY: §§ 14.51 to 14.67 issued under sec. 406, 73 Stat. 610; sec. 102, 68 Stat. 455, as amended, 69 Stat. 44; 7 U.S.C. 1736; 7 U.S.C. 1702. Interpret or apply secs. 401-404, 406, 73 Stat. 610, sec. 201, 76 Stat. 610, secs. 101, 102, 103(a), 106, 107, 63 Stat. 455-457, 69 Stat. 44; 7 U.S.C. 1731-1734, 1736, 1701, 1702, 1703(a), 1706, 1707.

§ 14.51 General statement.

Title IV of Public Law 480, 83d Congress, the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1731-1736) authorizes the Secretary of Agriculture to enter into agreements with foreign or United States private trade entities, under which the Secretary will provide for the delivery of United States surplus agricultural commodities and for the extension of dollar credit in connection therewith, over the periods of time and under the terms and conditions set forth in Title IV. This subpart outlines the policies and procedures applicable to the negotiation of such private trade agreements including the requirements for filing applications therefor. Except as is otherwise provided in the particular private trade agreement, Subpart A—Regulations Governing the Financing of Commercial Export Sales of Surplus Agricultural Commodities on Credit (26 F.R. 1388) as amended and revised will apply to agreements with private trade entities.

§ 14.52 Definition of terms.

Terms used in this subpart are defined as follows:

(a) "Administrator" means the Administrator of the Foreign Agricultural Service, United States Department of Agriculture, or his designee.

(b) "Assurer" means the institution which assures, on behalf of the private trade entity, repayment in dollars of the amount financed for the account of the private trade entity with interest as due, in accordance with the provisions of the private trade agreement.

(c) "CCC" means the Commodity Credit Corporation, United States Department of Agriculture.

(d) "Friendly nation" means any country other than (1) the U.S.S.R., or (2) any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement.

(e) "General Sales Manager" means the General Sales Manager of the Foreign Agricultural Service, United States Department of Agriculture, or his designee.

(f) "Private trade agreement" means an agreement between CCC and a private trade entity for the supply and financing of surplus agricultural commodities on credit, entered into pursuant to this subpart.

(g) "Private trade entity" means the private individual or organization which enters into the private trade agreement.

(h) "Project" means the private enterprise or other non-governmental activities to be undertaken by a private trade entity in accordance with the provisions of the private trade agreement.

(i) "Secretary" means the Secretary of Agriculture of the United States, or his designee.

(j) "Subpart A" means Subpart A—Regulations Governing the Financing of Commercial Export Sales of Surplus Agricultural Commodities on Credit (26 F.R. 1388) as amended and revised. Terms defined in Subpart A shall have the same meaning under this subpart.

§ 14.53 Basic considerations.

The purpose of this program is to stimulate and increase the sale of surplus agricultural commodities for dollars through long-term supply agreements and through the extension of credit for the purchase of such commodities, by agreements with the private trade, thereby assisting the development of the economies of friendly nations and maximizing dollar trade. The private trade agreements will require that cash dollar exports of the United States be safeguarded and will require assurance that sales thereunder will not unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries. Emphasis under this program will be placed on agreements pursuant to which commodities or

credit or both will be used for economic development by private enterprise in less developed countries, especially agreements covering projects which will assist in the development of markets for United States agricultural commodities.

§ 14.54 Eligibility of private trade entities.

Private trade entities of the United States and friendly foreign countries, which will utilize the credit for the project, are eligible for private trade agreements.

§ 14.55 Commodity eligibility.

(a) To be eligible for inclusion in a private trade agreement, commodities must have been determined by the Secretary, as of the date the agreement is entered into, to be surplus agricultural commodities produced in the United States and otherwise eligible for supply under Title IV private trade agreements.

(b) Even though included in an agreement, the commodities must be surplus agricultural commodities at time of delivery in order to be eligible for financing under the agreement. Private trade entities will be notified in the event that commodities included in private trade agreements are determined not to be eligible for export under the agreement because they are no longer surplus agricultural commodities or for other reasons. In such event, the Administrator will give consideration to a request for the delivery of substitute commodities.

(c) Information about the eligibility of commodities and other matters dealt with in this section may be obtained from the General Sales Manager.

§ 14.56 Supply periods.

Private trade agreements shall provide for delivery of specified eligible surplus agricultural commodities and quantities thereof for specified periods. As a general policy, supply periods shall not exceed three years, but longer supply periods not to exceed 10 years may be provided if the longer period is essential in order to accomplish the purposes of the project. Generally, the supply period shall be expressed in terms of calendar years or United States fiscal years, but other periods may be authorized.

§ 14.57 Assurance of payment.

(a) An assurer may be a United States bank or financial institution; a foreign private bank or financial institution located in a friendly nation; or the central bank, a governmental financial agency or the government of a friendly nation. CCC prefers that assurances of payment by foreign banks or financial institutions be advised by or through a United States bank.

(b) Payment of amounts due for commodities financed under private trade agreements shall be secured by the irrevocable assurance of an assurer, ex-

cept where an acceptable financial institution signs the agreement as the private trade entity or jointly with another private trade entity.

(c) The assurance of payment shall obligate the assurer, in case of default on any scheduled annual payment, to pay CCC in dollars the amount of principal in default with accrued interest. In addition, depending on the particular circumstances, the assurer may be required to assure performance of other provisions of the agreement.

(d) Applications for private trade agreements will be rejected if the proposed assurer is not acceptable from the standpoint of providing reasonable and adequate assurance of payment.

(e) The private trade entity shall furnish CCC an acceptable assurance of payment prior to the issuance of the purchase authorization.

§ 14.58 Credit terms and other financing provisions.

(a) The maximum period over which payments may be made for all deliveries of all commodities in a particular calendar year is 20 years from the date of the last delivery in such calendar year. The credit period approved for a particular private trade agreement shall be related to the project to be undertaken under the agreement.

(b) Payment of the principal amount due for commodities delivered in such calendar year, including ocean transportation or other costs applicable to such deliveries which are financed by CCC under the agreement, shall be made in approximately equal annual amounts, the first payment being due on a date specified in the agreement but in no event later than December 31 following the calendar year in which such deliveries were made. Subsequent annual payments shall become due on the anniversary dates of such first payment provided that, in the case of agreements calling for 20 annual payments, the final payment for commodities delivered in any calendar year shall become due 20 years from the date of last delivery of commodities in such calendar year. Any annual payment may be made prior to the due date thereof.

(c) The interest rate fixed in an agreement shall be the cost of funds to the United States Treasury for comparable maturities. The interest rate shall be fixed as of the time the agreement is entered into, such rate continuing for the life of the agreement. Interest on the unpaid balance of the principal amount due with respect to commodities delivered in each calendar year shall begin on the date of last delivery of commodities in such calendar year. Interest on each such unpaid balance shall be paid annually not later than the date on which the annual payment of principal becomes due.

(d) Information as to interest rates may be obtained from the General Sales Manager.

§ 14.59 Countries to which commodities may be exported.

(a) Exports of commodities may be made to any friendly nation if it is deter-

mined that exports to such nation under the proposed private trade agreement are in accordance with the basic considerations as set forth in § 14.53. Information as to eligibility of specific nations may be obtained from the General Sales Manager.

(b) Commodities shall be exported only to friendly nations specified in the private trade agreement and shall not be transshipped or reexported to other nations.

(c) The private trade agreement will require that imports of commodities into the countries specified in the agreement be additional to imports of such commodities from the United States and friendly historic supplying nations on a cash dollar or other commercial basis. Information with regard to this requirement may be obtained from the General Sales Manager.

(d) As a general policy, agreements will provide that commodities will be exported to countries in which the credit is to be utilized. Exceptions may be made when it is determined that the basic purposes set forth in § 14.53 can best be achieved by an exception.

§ 14.60 Purposes for which credit may be utilized.

(a) Benefits derived from credit extended to the private trade entity under a private trade agreement shall be used only for private enterprise or other non-governmental projects set forth in the agreement, to accomplish one or more of the following objectives: The expansion of dollar exports of United States surplus agricultural commodities, the development of foreign markets for United States agricultural commodities, and assistance in the economic development of friendly nations. The provision of relatively short-term working capital assistance for foreign importers or users of the commodity, which in turn will result in an expansion of dollar exports of United States surplus agricultural commodities, is an acceptable project.

(b) Benefits derived from credit extended to the private trade entity under the private trade agreement shall not be used to procure supplies, materials, equipment, or services from nations unfriendly to the United States. Private trade agreements involving procurement of United States supplies, materials, equipment, or services shall be given preference, other factors being equal.

§ 14.61 Export costs to be financed.

CCC will finance only such costs relating to the sale and exportation of commodities as are specified in the private trade agreement.

§ 14.62 Submission of applications.

(a) The private trade entity shall submit an application in duplicate in English. Information as to such application may be obtained from the General Sales Manager. Prior to preparing a complete application, the private trade entity may informally discuss with the General Sales Manager proposals for private trade agreements. The Administrator reserves the right to reject any application.

(b) The application shall be signed by the private trade entity. In the case of a corporation or similar entity, a duly authorized officer of the entity shall sign on its behalf.

§ 14.63 Principals preferred.

CCC prefers to deal with principals, especially in the negotiation of the private trade agreement, but the applicant may engage attorneys, engineers, or other qualified persons to advise and assist in preparing material required to be submitted in connection with the application, or to assist in carrying out activities pursuant to the agreement.

§ 14.64 Fees for services in obtaining agreements.

(a) Every applicant for a private trade agreement shall warrant that no person or selling agency has been employed or retained to solicit or secure the private trade agreement upon an undertaking or agreement for a contingent fee to be paid as a commission, percentage, brokerage, or in other form, excepting bona fide employees or bona fide commercial or selling agencies maintained by the private trade entity for the purpose of securing business. For breach or violation of this warranty, CCC shall have the right to cancel the private trade agreement without liability or in its discretion to recover the full amount of such fee from the private trade entity or to deduct such fee from any payments to be made by CCC to the private trade entity.

(b) Prior to the execution of the agreement, the private trade entity shall report any amounts paid or agreed to be paid for any bona fide professional, technical or other comparable services in connection with the submission of the application and obtaining of the agreement.

§ 14.65 Signing agreements.

Agreements shall be signed by the private trade entity. In the case of a corporation or similar entity, a duly authorized officer of the entity shall sign on its behalf. The Administrator of the Foreign Agricultural Service, who is a Vice President of CCC, shall sign on behalf of CCC.

§ 14.66 Compliance policies and provisions.

(a) The private trade entity shall furnish the Administrator such information and reports as he may require with regard to carrying out projects specified in the private trade agreement and with regard to compliance with other provisions of the agreement.

(b) The private trade entity shall maintain books and records covering all transactions relating to the private trade agreement. Such books and records as well as pertinent documents, correspondence, memoranda and other records of the private trade entity shall be subject to examination by the Administrator at all reasonable times until the entire amount due under the agreement has been paid to CCC.

(c) Activities under a private trade agreement shall be subject to such other

review or investigation as the Administrator deems necessary to assure compliance with the provisions of the agreement. The private trade entity shall cooperate with and give reasonable assistance to the Administrator in such review or investigation as well as the examination referred to in paragraph (b) above.

§ 14.67 Remedies and penalties.

(a) If the Administrator determines that any of the provisions of the private trade agreement have not been complied with, he may, in addition to other remedies available to CCC, demand immediate payment by the private trade entity of all amounts financed by CCC, with interest.

(b) The representations, certifications, warranties and covenants required in connection with the negotiation of a private trade agreement are deemed to be material to, and an inducement for CCC to enter into, the agreement. Falsifications in any such representation, certificate, or warranty, or the breach of any such covenant shall entitle the CCC to cancel the private trade agreement in whole or in part or to use such additional remedies as may be provided in the agreement.

(c) The remedies provided in this subpart and in the private trade agreement shall be in addition to any liability or penalty under criminal or civil fraud statutes.

The recordkeeping and reporting requirements of these regulations have been approved by, and subsequent recordkeeping and reporting requirements will be subject to, the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date: Date of signature.

Signed at Washington, D.C., on July 12, 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-7570; Filed, July 16, 1963;
8:59 a.m.]

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER B—MARKETING OF PERISHABLE AGRICULTURAL COMMODITIES

PART 46—REGULATIONS (OTHER THAN RULES OF PRACTICE) UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

Correction

In F.R. Doc. 63-7281, appearing at page 7067 of the issue for Thursday, July 11, 1963, lines 10, 11, 12, and 13 of § 46.27(a) should read as follows:

commodity or of several commodities. In negotiating a contract, a broker usually acts as agent of the buyer or the seller but not as agent of both parties. Frequently, brokers never see

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

[Sugar Determination 847.2 Rev.]

PART 847—PUERTO RICO

1962-63 and Subsequent Crops; Correction

Federal Register Document 62-6298 published on page 6080 in the FEDERAL REGISTER dated June 28, 1962, is corrected by changing "of" to read "or" in subparagraph (5) of paragraph (a) of § 847.2.

Effective date: June 28, 1962.

Signed at Washington, D.C., on July 11, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63-7520; Filed, July 16, 1963;
9:02 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 54, Amdt. 1]

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

Limitation of Handling

Finding. 1. Pursuant to the marketing agreement and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 908.354

(Valencia Orange Regulation 54, 28 F.R. 6907) are hereby amended to read as follows:

(ii) District 2: 500,000 cartons.

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

Dated: July 12, 1963.

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

[F.R. Doc. 63-7480; Filed, July 16, 1963;
8:50 a.m.]

[Plum Order 14]

PART 917—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Size

§ 917.333 Plum Order 14 (Emily, President, Late Duarte).

(a) **Findings.** (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the afore-said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting in-

[Avocado Reg. 11, Amdt. 1]

PART 944—FRUIT; IMPORT REGULATIONS**Avocados**

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of subparagraphs (2) and (3) of paragraph (a) of § 944.3 (Avocado Regulation 11; 28 F.R. 5006) are hereby amended to read as follows:

formation for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on July 12, 1963.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., July 18, 1963, and ending at 12:01 a.m., P.s.t., November 1, 1963, no shipper shall ship any package or container of Emily, President, or Late Duarte plums, unless:

(i) Such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack; and

(ii) The diameters of the smallest and largest plums in such package or container do not vary more than one-fourth ($\frac{1}{4}$) inch: *Provided*, That a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) When used in this section, "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520-51.1537 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(3) Section 917.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

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

Dated: July 16, 1963.

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

[F.R. Doc. 63-7605; Filed, July 16, 1963; 11:38 a.m.]

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

Dated, July 11, 1963, to become effective at 12:01 a.m., e.s.t., July 22, 1963.

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

[F.R. Doc. 63-7517; Filed, July 16, 1963; 9:00 a.m.]

Chapter X—Agricultural Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 135]

PART 1135—MILK IN COLORADO SPRINGS-PUEBLO MARKETING AREA**Order Amending Order****§ 1135.0 Findings and determinations.**

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

All of the findings, terms and conditions of the Order Amending the Order Regulating the Handling of Milk in the Colorado Spring-Pueblo Marketing Area which were annexed to and made a part of the decision of the Assistant Secretary of Agriculture issued June 14, 1963 (28 F.R. 6295; F.R. Doc. 63-6448) shall be and are the findings, terms and conditions of this order amending the order and are set forth in full herein.

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

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1963. Any delay beyond that date would tend to disrupt

the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Acting Secretary was issued May 7, 1963 and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued June 14, 1963. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1963, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

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

1. Section 1135.51(a) is revised to read as follows:

§ 1135.51 Class prices.

(a) *Class I milk.* The basic formula for the preceding month plus \$2.10, plus or minus a supply-demand adjustment calculated for each month as follows:

(1) For each month calculate a utilization ratio as follows:

(i) Calculate a utilization ratio for the 12-month period ending with the second preceding month by dividing the total receipts of producer milk by the total gross volume of Class I milk (excluding interhandler transfers and any intermarket transfers that would result in the same milk being accounted for the second time as Class I milk) under this part and Parts 1134 and 1137 of this chapter regulating the handling of milk in the Colorado Springs-Pueblo marketing area, the Western Colorado marketing area and the Eastern Colorado marketing area, respectively, and multiply the results by 100.

(ii) Add or subtract, respectively, any amount by which the percentage computed pursuant to subdivision (1) of this paragraph is greater or less than a comparable utilization percentage calculated using the 12-month period ending with the fourth preceding month; and

(iii) The resultant figure rounded to the nearest whole percentage shall be known as the utilization ratio.

(2) For each percentage by which the utilization ratio calculated for the month pursuant to subparagraph (1) of this paragraph exceeds 136, subtract from, or for each percentage by which it is less than 130, add to, the Class I price, two cents.

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

Effective date: August 1, 1963.

Signed at Washington, D.C., on July 11, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63-7518; Filed, July 16, 1963; 9:00 a.m.]

[Milk Order 137]

PART 1137—MILK IN THE EASTERN COLORADO MARKETING AREA

Order Amending Order

§ 1137.0 Findings and determinations.

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

All of the findings, terms and conditions of the Order Amending the Order Regulating the Handling of Milk in the Eastern Colorado Marketing Area which were annexed to and made a part of the decision of the Assistant Secretary of Agriculture issued June 14, 1963 (28 F.R. 6295; F.R. Doc. 63-6448) shall be and are the findings, terms and conditions of this order amending the order and are set forth in full herein.

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

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1963. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Acting Secretary was issued May 7, 1963 and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued June 14, 1963. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1963, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

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

1. Section 1137.51(a) is revised to read as follows:

§ 1137.51 Class prices.

(a) *Class I milk.* The basic formula for the preceding month plus \$2.10, plus or minus a supply-demand adjustment calculated for each month as follows:

(1) For each month calculate a utilization ratio as follows:

(i) Calculate a utilization ratio for the 12-month period ending with the second preceding month by dividing the total receipts of producer milk by the total gross volume of Class I milk (excluding interhandler transfers and any intermarket transfers that would result in the same milk being accounted for the second time as Class I milk) under this part and Parts 1134 and 1135 of this chapter regulating the handling of milk in the Eastern Colorado marketing area, the Western Colorado marketing area and the Colorado Springs-Pueblo marketing area, respectively, and multiply by 100.

(ii) Add or subtract, respectively, any amount by which the percentage computed pursuant to subdivision (i) of this paragraph is greater or less than a comparable utilization percentage calculated using the 12-month period ending with the fourth preceding month; and

(iii) The resultant figure rounded to the nearest whole percentage shall be known as the utilization ratio.

(2) For each percentage by which the utilization ratio calculated for the month pursuant to subparagraph (1) of this paragraph exceeds 136, subtract from, or for each percentage by which it is less than 130, add to, the Class I price, two cents.

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

Effective date: August 1, 1963.

Signed at Washington, D.C., on July 11, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63-7519; Filed, July 16, 1963; 9:00 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regulations, 1963-Crop Wheat, Supp.]

PART 1421—GRAINS AND RELATED COMMODITIES

Subpart—1963 Crop Wheat Loan and Purchase Agreement Program

Correction

In F.R. Doc. 63-7133, appearing at page 6959 of the issue for Tuesday, July 9, 1963, the following correction is made in the tabular matter under § 1421.2113 (e): For Billings County, North Dakota, the rate per bushel entry should read "\$1.76" instead of "\$1.78".

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-WA-41]

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

Federal Airway; Litchfield, Ohio; Correction

The purpose of this amendment to Part 71 (New) of the Federal Aviation Regulations is to correct § 71.123 by reinserting Litchfield, Ohio, in the description of VOR Federal airway No. 30.

Since this amendment is editorial in nature and will impose no additional burden on any person, compliance with Section 4 of the Administrative Procedure Act is unnecessary and it may be made effective immediately.

In consideration of the foregoing, effective immediately, the following action is taken:

Section 71.123 (27 F.R. 220-6, November 10, 1962) is amended as follows: In V-30 "Waterville, Ohio;" is deleted and "Litchfield, Ohio; Waterville, Ohio;" is substituted therefor.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 10, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7494; Filed, July 16, 1963; 8:47 a.m.]

[Airspace Docket No. 63-CE-31]

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

Alteration of Federal Airways

The purpose of these amendments to Part 71 [New] of the Federal Aviation Regulations is to alter those segments of VOR Federal airway Nos. 810, 853, 855, 856, 859 and 880 used as preferred routes of flight for the Chicago, Ill., metropolitan area.

800 series airways are designated to indicate preferred routes of flight between major terminals. Some of the preferred routes to and from the Chicago metropolitan area have been revised due to the relocation of scheduled air carrier flights from Midway Airport to O'Hare International Airport. Therefore, action is taken herein to alter Vectors 810, 853, 855, 856, 859 and 880 to conform to these revised preferred routes.

Since these amendments impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary

that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, the following actions are taken:

1. Section 71.123 (27 F.R. 220-6, November 10, 1962, 27 F.R. 11532, 12440, 12710, 28 F.R. 967, 1533, 3779) is amended as follows:

a. In V-810 "Pullman, Mich.; Lansing, Mich.; Salem, Mich.;" is deleted and "Keeler, Mich.; INT of Keeler 084° and Litchfield, Mich., 293° radials; Litchfield;" is substituted therefor.

b. In V-853 "Naperville, Ill.; INT of Naperville 090° and Peotone, Ill., 003° radials;" is deleted and "INT of Janesville 111° and Naperville, Ill., 340° radials; to the INT of Naperville 340° and Northbrook, Ill., 273° radials. From the INT of Naperville 090° and Peotone, Ill., 003°;" is substituted therefor.

c. In V-855 "Joliet, Ill.; Rockford, Ill.;" is deleted and "to INT of Chicago Heights 358° and Naperville, Ill., 090° radials. From Chicago, Ill.; via INT of Chicago 269° and Rockford, Ill., 136° radials; Rockford;" is substituted therefor.

d. In V-856 "Pullman, Mich.; Lansing, Mich.; Salem, Mich.;" is deleted and "Keeler, Mich.; INT of Keeler 084° and Litchfield 293° radials; Litchfield;" is substituted therefor.

e. In V-859 "From Joliet, Ill., via Roberts, Ill.;" is deleted and "From INT of Joliet, Ill., 067° and Roberts, Ill., 008° radials via Roberts;" is substituted therefor.

f. In V-880 "Keeler; Naperville, Ill.; Joliet, Ill.; Bradford, Ill.;" is deleted and "Pullman; to Northbrook, Ill. From Chicago, Ill., via INT of Chicago 269° and Bradford, Ill., 033° radials; Bradford;" is substituted therefor.

These amendments shall become effective 0001, e.s.t., September 19, 1963.

(Sec 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 10, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7465; Filed, July 16, 1963; 8:47 a.m.]

[Airspace Docket No. 63-PC-17]

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

Alteration of Federal Airway

The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to alter VOR Federal airway No. 1 in Hawaii.

Victor 1, Hawaii, extends in part from the Mango, Hawaii, Intersection to Lanai, Hawaii. The Federal Aviation Agency is taking action herein to extend this airway from Lanai to the Southgate, Hawaii, Intersection via the

Palmtree, Hawaii, Intersection. From Lanai to Palmtree Intersection, this extension of Victor 1 will overlie Hawaiian VOR Federal airway No. 2 and from Palmtree to Southgate Intersection, it will overlie Hawaiian VOR Federal airway No. 8.

This extension of Victor 1 will provide for flight planning and air traffic clearance simplification for operations between Honolulu, Hawaii, and Hilo, Hawaii, along this route.

Since this amendment will not assign or reassign the use of the navigable airspace, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

For the reasons stated herein, the following action is taken: In § 71.127 (27 F.R. 220-37, November 10, 1962) V-1 Hawaii "From Lanai, Hawaii, via" is deleted and "From INT of Honolulu, Hawaii, 179° and Molokai, Hawaii, 268° radials via INT of Molokai 268° and Honolulu 113° radials; Lanai, Hawaii;" is substituted therefor.

This amendment shall become effective 0001, e.s.t., September 19, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 10, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7466; Filed, July 16, 1963; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

PART 364—TRADE FAIRS IN THE UNITED STATES

Changes in Codification

Title 15—Commerce and Foreign Trade, is amended in the following particulars:

1. The heading of Chapter III, now designated as the Bureau of International Programs, Department of Commerce, is redesignated to read as set forth above.

2. Part 901—Trade Fairs in the United States, is transferred from Chapter IX to Chapter III and redesignated as Part 364.

(R.S. 161, as amended; 5 U.S.C. 22)

Dated: July 9, 1963.

HERBERT W. KLOTZ,
Assistant Secretary
for Administration.

[F.R. Doc. 63-7458; Filed, July 16, 1963; 8:45 a.m.]

No. 138—2

Chapter IX—Bureau of International Business Operations, Department of Commerce

PART 901—TRADE FAIRS IN THE UNITED STATES

Changes in Codification

Title 15—Commerce and Foreign Trade is amended in the following particulars:

1. Part 901—Trade Fairs in the United States, is transferred from Chapter IX to Chapter III and redesignated as Part 364. The above heading of Chapter IX is revoked.

2. Chapter IX is thereby vacated and reserved.

(R.S. 161, as amended; 5 U.S.C. 22)

Dated: July 9, 1963.

HERBERT W. KLOTZ,
Assistant Secretary
for Administration.

[F.R. Doc. 63-7457; Filed, July 16, 1963; 8:45 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Emergency Planning

DMO VII-5—DESIGNATION OF SUPPLY AND REQUIREMENTS AGENCIES

Revocation

Defense Mobilization Order VII-5, Designation of Supply and Requirements Agencies dated October 7, 1953 (18 F.R. 6408) and Amendment 1 dated November 12, 1954 (19 F.R. 7349) are hereby revoked.

Dated: July 10, 1963.

WILLIAM B. RICE,
Director of Administration,
Office of Emergency Planning.

[F.R. Doc. 63-7478; Filed, July 16, 1963; 8:50 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

PART 207—NAVIGATION REGULATIONS

Corrections

1. F.R. Doc. 63-3852, appearing at 28 F.R. 3651, April 13, 1963, is corrected by changing the phrase "bearing 236°30'", in the fifth line of § 202.8(f), to read "bearing 296°30'".

[Letter, ENG CW-ON, July 8, 1963, correcting § 202.8(f)] (Sec. 1, 54 Stat. 150; 33 U.S.C. 180)

2. F.R. Doc. 63-6148, appearing at 28 F.R. 5721, June 12, 1963, is corrected by changing the phrase "Light No. 277", in the second line of § 207.611(b), to read "Light No. 227".

[Letter, ENG CW-ON, July 8, 1963, correcting § 207.611(b)] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 63-7456; Filed, July 16, 1963; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

SUBCHAPTER G—EXCHANGES

[Circular No. 2113]

PART 150—EXCHANGES TO ELIMINATE PRIVATE HOLDINGS FROM NATIONAL PARKS AND NATIONAL MONUMENTS

Point Reyes National Seashore, California

The purpose of this amendment is to provide procedures for the acquisition by exchange of lands within the Point Reyes National Seashore.

Since this amendment is similar to other existing regulations in its requirements on the public, notice and public procedure thereon have been deemed unnecessary. The amendment shall become effective on publication in the FEDERAL REGISTER.

A new centerhead and new §§ 150.29 to 150.35 are added to Part 150, to read as follows:

EXCHANGES OF PRIVATELY OWNED PROPERTY WITHIN THE POINT REYES NATIONAL SEASHORE, CALIFORNIA

Sec.	Authority.
150.29	Application.
150.30	Appraisals; values; costs.
150.31	Notice of publication.
150.32	Deed to the United States.
150.33	Taxes and equalizing money.
150.34	Conveyed property a part of Point Reyes National Seashore.

AUTHORITY: §§ 150.29 to 150.35 issued under R.S. 2478; 43 U.S.C. 1201; Act of Sept. 13, 1962; 76 Stat. 538; 16 U.S.C. sec. 459c.

EXCHANGES OF PRIVATELY OWNED PROPERTY WITHIN THE POINT REYES NATIONAL SEASHORE, CALIFORNIA

§ 150.29 Authority.

The Act of September 13, 1962 (76 Stat. 538; 16 U.S.C., sec. 459c), providing for the establishment of the Point Reyes National Seashore in the State of California, authorizes the Secretary of the Interior, when the public interest will be benefited thereby, to acquire land within the boundaries of the Point Reyes National Seashore by exchange. He may accept title to any non-Federal property located within such area and convey to the grantor of such property any fed-

erally owned property under the jurisdiction of the Secretary within Arizona, California, Nevada, and Oregon, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value, provided that when such values are not equal the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the value of the properties exchanged.

§ 150.30 Application.

(a) All preliminary negotiations for exchanges of land are to be conducted with the National Park Service. Any person holding an interest in property within the boundaries of the Point Reyes National Seashore who desires to negotiate an exchange with the United States must file with the Regional Director, Western Region, National Park Service, an informal proposal, in writing, describing the privately owned property which is to be offered to the United States and the property which is desired in exchange therefor. After consultation with the authorized officer of the Bureau which has jurisdiction over the property desired by the proponent, the Regional Director will advise the proponent, in writing, whether the proposal appears feasible and, if so, the amount of money, if any, he believes the proponent would have to pay to equalize values.

(b) Formal application: Any person desiring to effect an exchange of lands hereunder must file in the land office of the Bureau of Land Management having jurisdiction over the State or land district in which selected lands are located, an application, in duplicate, on Form 4-1711, or its equivalent, describing the lands by metes and bounds or other proper description. However, if the selected lands are surveyed, they must be described by legal subdivisions of the public land surveys. The application must be accompanied by the notice received from Regional Director, National Park Service, required by paragraph (a) of this section.

(c) The applicant must be legally capable under the laws of the State of California and the State in which the selected lands are situated of consummating the exchange. The application must state that he is the owner of the interest in the lands offered in exchange and that such offered interest is not the basis of any other exchange.

(d) As used in this part the term "person" includes any person or entity legally capable under the laws of the States involved of conveying and holding land.

§ 150.31 Appraisals; values; costs.

The National Park Service will arrange, by contract or otherwise, for the services of appraisers, for the purpose of appraising both the offered and selected lands or interest. The National Park Service will pay for costs of publication and of securing title evidence for the offered property. It will also reimburse the Bureau having jurisdiction over the selected lands for any costs in-

curred by it in processing an exchange filed pursuant to § 150.30.

§ 150.32 Notice for Publication.

Upon a determination by the authorized officer of the National Park Service, and of the Bureau which has jurisdiction over the selected property that the value of the offered property is approximately equal to the value of the selected property, that provision has been made for a cash payment sufficient to equalize the value of the properties exchanged, and that the exchange is consistent with the law and regulations and is otherwise in the public interest, notice of the proposed exchange will be published. The notice of publication will give the name and post office address of the applicant, the serial number and date of the application, a reference to the Act of September 13, 1962, and the description of the offered and selected lands. It will also state that all persons asserting a claim to the selected lands or having bona fide objections to the exchange may file their protests or other objections in the office designated in the notice, together with evidence that a copy of such protest or objections has been served upon the applicant. The notice will be published once a week for four consecutive weeks in a designated newspaper of general circulation in the county or counties in which the offered lands are situated and in the same manner in a newspaper of general circulation in the county or counties in which the selected lands are situated. Proof of publication of notice shall consist of a statement by the publisher or foreman or other authorized employee of the newspaper, specifying the dates of publication, and attaching thereto a copy of the notice as published.

§ 150.33 Deed to the United States.

The applicant will submit a deed, upon request of the authorized officer of the Bureau of Land Management, conveying the offered land to the United States, executed and acknowledged in accordance with the laws of the State of California. Revenue stamps required by Federal and State law must be affixed to the deed at the expense of the applicant. The deed should recite that it is made "for and in consideration of the exchange of certain lands as authorized by section 3 of the Act of September 13, 1962 (76 Stat. 538)." Deeds must be signed by all persons holding the interest conveyed in the offered land. Deeds must disclose the marital status of the grantor. If a grantor is married, the spouse of the grantor must join in the execution of the deed unless it be fully shown that the grantor's spouse has no interest present or prospective in the land. The deed must not be recorded by the applicant but will be recorded in the proper county land records when the exchange is ready for consummation. A deed executed by a corporation must recite that it was executed pursuant to a resolution or order of its Board of Directors, or other governing body, and a copy of such resolution or order must accompany the deed. The corporate seal must be affixed to both instruments.

§ 150.34 Taxes and equalizing money.

In case taxes which have been assessed or levied on the offered lands constitute a lien against the lands, although such taxes are not due and payable at the time of the recordation of the deed to the United States, the applicant may furnish a bond with a qualified surety for double the amount of taxes paid on the land for the previous year, or, in lieu of a bond, a cash deposit in like amount, to secure the payment of such taxes. When proper evidence of payment in full of such taxes is furnished by the applicant, liability under the bond will be terminated or the cash deposit will be returned to him. Cash deposit or bond for taxes and cash payment of the amount determined to be needed to equalize values will be payable upon request of the authorized officer of the Bureau of Land Management.

§ 150.35 Conveyed property a part of Point Reyes National Seashore.

(a) The Bureau of Land Management will examine the deed, evidence of title, and other evidence required of the applicant and if all be found regular and in conformity with law, and there are no objections, will accept title to the property offered and conveyed to the United States, and will issue a deed or other instrument of transfer for the property selected in exchange, and will transmit to the applicant the cash payment, if any, necessary to balance the values.

(b) All property conveyed to the United States pursuant hereto shall, upon acceptance of title, become a part of the Point Reyes National Seashore, and shall be subject to all laws applicable to such area.

STEWART L. UDALL,
Secretary of the Interior.

JULY 11, 1963.

[F.R. Doc. 63-7474; Filed, July 16, 1963;
8:49 a.m.]

SUBCHAPTER H—GRAZING

[Circular 2114]

PART 161—THE FEDERAL RANGE CODE FOR GRAZING DISTRICTS

Miscellaneous Amendments

On page 2142 of the FEDERAL REGISTER of March 5, 1963, there was published a notice and text of proposed amendments to § 161.5, § 161.7, and § 161.8 of Title 43, Code of Federal Regulations. The purpose of the amendments is to provide specific modification of the regulations to more effectively meet the needs of resource management.

Full consideration has been given to comments, suggestions, and objections of interested parties resulting in deletion of the proposed amendment to § 161.5 in order to provide for further consideration of the matter. The proposed amendments to § 161.7 and § 161.8 have the full support of interested parties. Accordingly, the proposed amendments to § 161.7 and § 161.8 are hereby adopted without change and are set forth below.

The amendments shall become effective at the beginning of the 30th calendar day following the date of their publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

JULY 11, 1963.

1. Paragraph (c) of § 161.7 is amended to read as follows:

§ 161.7 Transfers of base property; base property qualifications; relinquishments.

(c) *Relinquishment of base property qualifications; limitation; effect.* Upon request, the district manager may accept a written relinquishment or waiver of grazing privileges on the Federal range and of base property qualifications of the base property owned or controlled by the applicant. Upon acceptance of such relinquishment, the base property will lose its qualifications to the extent specified: *Provided*, That no such relinquishment will be accepted without the written consent of the owner or owners, if other than the applicant, and any encumbrancer of the base property, except that if the applicant is a lessee of the base property without whose livestock operations the dependency by use or priority thereof would not have been established, such owner's consent will not be required.

2. Paragraph (d) of § 161.8 is amended to read as follows:

§ 161.8 Fees; time of payment; refunds.

(d) *Payment of fees; reduction or increase in numbers; modification of periods of use.* No license or permit shall be issued or renewed until payment of all fees due the United States under the Federal Range Code for Grazing Districts has been made. Fees for licenses and permits are due the United States upon issuance of the fee notice and are payable in advance of the first grazing period and for the full amount indicated on the fee notice; no license or permit shall be effective to authorize grazing use thereunder until such advance payment has been made.² A permit may be canceled or reduced pursuant to § 161.9(d) for failure to pay the fee in accordance with the fee notice. Any licensee or permittee who desires to make temporary use of the grazing privileges during any authorized grazing period or periods in a manner other than that authorized in his existing license or permit must file with the district manager a written request for such change in use at least 10 days prior to the beginning of any such grazing period. If the district manager approves the request he will issue an adjusted fee notice accordingly.

[F.R. Doc. 63-7475; Filed, July 16, 1963; 8:49 a.m.]

² Any grazing on the Federal range within grazing districts in the absence of effective license or permit is unlawful and prohibited; such unauthorized grazing shall be deemed in trespass and may be proceeded against as provided in § 161.12, or by other action under the law.

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 14992, RM-401; FCC 63-645]

PART 3—RADIO BROADCAST SERVICES

Table of Assignments, Television Broadcast Stations (Minneapolis-St. Paul, Minnesota)

1. The Commission has before it for consideration its notice of proposed rule making, released March 8, 1963 (FCC 63-217), proposing a reservation of Channel 17 for noncommercial educational use at Minneapolis-St. Paul, Minnesota, where the channel is presently assigned.¹ Petitioner is the licensee of noncommercial, educational station KTCA-TV on Channel 2 in Minneapolis-St. Paul, which it has operated there since 1957. There are commercial operations on Channels 4, 5, 9, and 11. Also assigned to Minneapolis-St. Paul for commercial use is Channel 23, which is not presently in use and for which there are no applications currently pending.

2. In its request for the proposed reservation, the petitioner cites the expressed objectives and plans of several educational institutions, boards, and school systems—public and private—as evidence of a growing potential and need which cannot be adequately met with only one educational television facility in the area. Petitioner states that the proposed station would serve as an additional broadcasting channel to operate in association with its KTCA operation, to be used initially for in-school instruction primarily (conforming to the regular operational schedule of the schools), with future plans for nursing, industrial, and other types of instruction for classroom, laboratory plant, and home use.

3. Comments opposing the choice of Channel 17 for the proposed reservation for noncommercial educational use were filed on behalf of Full Gospel Ranch, Incorporated, which, it is stated, is actively engaging in the preparation of an application for Channel 17 in the Twin Cities. Full Gospel takes the position that there are still technical advantages in the lower as opposed to the higher frequencies in the UHF band, and that based on its stated plans Twin City could operate as well on the higher frequencies, some of which would be available, or in the 2000 MC band if the Commission decides to assign this for education. By thus preserving Channel 17 for commercial use, an additional commercial operation in the area could provide a more effective and competitive service, it is asserted. Full Gospel also contends that the use of Channel 17 for initial UHF broadcasting in the Minneapolis-St. Paul area will assist UHF development in the area to a greater extent than the use of a higher channel.

¹ Application filed May 31, 1962 (BPCT-3050) by Twin City Area Educational Television Corporation for this channel is currently pending.

4. The Commission is of the view that adoption of the proposal would enhance opportunities for needed educational television services in the Twin Cities area, and that a reservation of Channel 17 for noncommercial educational use there would serve the public interest. With respect to the opposition mentioned, it is noted that Channel 23 is available for commercial application at Minneapolis-St. Paul, and that there is no substantial difference in the propagation characteristics of Channels 17 and 23. The action herein is taken pursuant to authority found in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

5. In view of the foregoing, *It is ordered*, That, effective August 19, 1963, the Table of Assignments contained in Section 3.606 of the Commission's Rules and Regulations is amended, insofar as the community named is concerned, to read as follows:

City	Channel No.	
	Present	Proposed
Minneapolis-St. Paul, Minn.-----	*2-, 4, 5-, 9+, 11-, 17, 23+	*2-, 4, 5-, 9+, 11-, *17, 23+

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: July 10, 1963.

Released: July 12, 1963.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7506; Filed, July 16, 1963; 8:56 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Carolina Sandhills National Wildlife Refuge

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

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

SOUTH CAROLINA

CAROLINA SANDHILLS NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Carolina Sandhills National Wildlife Refuge, South Carolina, is permitted only on the area designated by signs as open to hunting. This open area, comprising 45,000 acres or 97 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fish-

eries and Wildlife, 809 Peachtree-Seventh Building, Atlanta 23, Georgia. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Deer, bucks only.

(b) Open season: September 30 through October 5, and October 7 through October 12, 1963.

(c) Daily bag limits: 2.

(d) Methods of hunting:

(1) Any type center fire rifle or shotgun 20 gauge or larger. Buck shot must be number one (1) or larger.

(2) No dogs allowed.

(3) Hunting will be permitted from daylight to dark.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) All deer killed on the refuge must be checked out at refuge headquarters.

(3) Camping will be permitted in Lake Bee Recreational Area only.

(4) A Federal permit will be required to enter the public hunting area. Permits may be obtained by writing to the Refuge Manager, Carolina Sandhills National Wildlife Refuge, Route 2, Box 130, McBee, South Carolina, or in person at the refuge headquarters. Permits will be issued during the period September 2 through September 27.

(5) The provisions of this special regulation are effective to October 13, 1963.

JAMES R. FIELDING,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 63-7473; Filed, July 16, 1963; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 250]

LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

Notice of Proposed Rule Making

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue and the Commissioner of Customs, with the approval of the Secretary of the Treasury or his delegate. Prior to final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate, to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington 25, D.C., within the period of 30 days from the date of publication of this notice in the *FEDERAL REGISTER*. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Director, Alcohol and Tobacco Tax Division, within the 30-day period. In such a case, a public hearing will be held and notice of the time, place, and date will be published in a subsequent issue of the *FEDERAL REGISTER*. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

In order to: (1) revise the procedures relating to distilled spirits to be shipped in bulk from Puerto Rico to the United States; (2) simplify procedures in Puerto Rico for tax deferment and release of liquors on which the tax has been deferred or paid; (3) extend the rectification tax procedure in Puerto Rico to include wine; (4) provide for the collection of internal revenue taxes on Puerto Rican products from tourists, by collectors of customs as well as by the internal revenue service; (5) make it clear that packages of distilled spirits shipped into the United States from the Virgin Islands are to be marked and stamped in accordance with customs regulations; (6) provide currently required definitions; and (7) make certain technical and editorial changes, the regulations in 26 CFR Part 250 are amended as follows:

PARAGRAPH 1. Subpart B is revised to provide, in a modern format, definitions currently required. As revised, Subpart B reads as follows:

Subpart B—Definitions

§ 250.11 Meaning of terms.

When used in this part and in forms prescribed under this part, 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 form shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine. The terms "includes" and "including" do not exclude things not enumerated which are in the same general class.

Article. Any preparation unfit for beverage use, made with or containing:

- (1) Wine or beer;
- (2) Distilled spirits or industrial spirits; or
- (3) Denatured spirits when such preparation is not manufactured under the provisions of this subchapter.

Assistant regional commissioner. An assistant regional commissioner (alcohol and tobacco tax) who is responsible to, and functions under the direction and supervision of, a regional commissioner of internal revenue.

Beer. Beer, ale, porter, stout, and other similar fermented beverages (including sake or similar products) of any name or description containing one-half of 1 percent or more of alcohol by volume, brewed or produced from malt, wholly or in part, or from any substitute therefor.

Bureau of Alcoholic Beverage Taxes. Bureau of Alcoholic Beverage Taxes of the Commonwealth of Puerto Rico.

Business day. Any day, other than a Saturday, Sunday, or a legal holiday. (The term legal holiday includes all holidays in the District of Columbia and all legal holidays in the Commonwealth of Puerto Rico.)

Collector of customs. The person having charge of a customs collection district, the assistant collector of customs, deputy collector of customs, and any person authorized by law or by regulations approved by the Secretary of the Treasury of the United States to perform the duties of a collector of customs.

Customs officer. Any officer of the Customs Service or any commissioned, warrant, or petty officer of the Coast Guard, or agent or other person authorized by law or by the Secretary of the Treasury of the United States, or appointed in writing by a collector of customs, to perform the duties of an officer of the Customs Service.

Denatured spirits. Industrial spirits denatured in accordance with approved formulas in distilled spirits plants established and operated under the provisions of this subchapter relating to the establishment and operation of plants qualified to denature spirits in the United States, or, in respect of a product of the Virgin Islands, shall also mean spirits

denatured in accordance with approved formulas in plants established under the provisions of the Virgin Islands regulations and shall include, unless otherwise limited, both completely and specially denatured spirits.

Director, Alcohol and Tobacco Tax Division. The Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, United States Treasury Department, Washington, D.C.

Distilled spirits or spirits. That substance known as ethyl alcohol, ethanol, or spirits of wine, including all dilutions and mixtures thereof, from whatever source or by whatever process produced, and shall include whisky, brandy, rum, gin, etc., but shall not include industrial spirits as defined in this part except when used in reference to such spirits which would be subject to tax if brought into the United States.

District director. A district director of internal revenue.

Executed under penalties of perjury. Signed with the prescribed declaration under the penalties of perjury as provided on or with respect to the return, claim, form, or other document, or, where no form of declaration is prescribed, with the declaration: "I declare under the penalties of perjury that this ----- (insert type of document, such as, statement, report, certificate, application, claim, or other document), including the documents submitted in support thereof, has been examined by me and, to the best of my knowledge and belief, is true, correct, and complete."

Gallon or wine gallon. The liquid measure equivalent to the volume of 231 cubic inches.

Importer. Any person who imports distilled spirits, wines, or beer into the United States.

Industrial spirits. As to products of Puerto Rico, distilled spirits produced and warehoused at and withdrawn from distilled spirits plants established and operated under the provisions of this subchapter relating to the establishment of such plants and the production, bonded warehousing, and withdrawal from bond of distilled spirits in the United States, or as to products of the Virgin Islands, distilled spirits produced, warehoused, and withdrawn under Virgin Islands regulations.

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

Liquors. Industrial spirits, distilled spirits, liqueurs, cordials and similar compounds, wines, and beer or any alcoholic preparation fit for beverage use.

Officer-in-Charge. 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.

Permit. A formal written authorization of the Secretary of the Treasury of Puerto Rico.

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

Proof gallon. A gallon of liquid at 60 degrees Fahrenheit which contains 50 percent by volume of ethyl alcohol having a specific gravity of 0.7939 at 60 degrees Fahrenheit referred to water at 60 degrees Fahrenheit as unity or the alcoholic equivalent thereof.

Red strip stamp. The stamp prescribed under authority of section 5205 (a) (2), I.R.C.

Region. An internal revenue region.

Revenue Agent. Any duly authorized Commonwealth Internal Revenue Agent of the Department of the Treasury of Puerto Rico.

Secretary. The Secretary of the Treasury of Puerto Rico.

Secretary or his delegate. 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.

Taxpaid. As used in this part with respect to liquors or articles of Puerto Rican manufacture, includes 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.

United States. The States and the District of Columbia.

U.S.C. The United States Code.

United States Internal Revenue Service Office. 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.

Virgin Islands regulations. Regulations issued or adopted by the Governor of the Virgin Islands, or his duly authorized agents, with the concurrence of the Secretary of the Treasury of the United States, or his delegate, under the provisions of section 5314, I.R.C., as amended, and § 250.201a.

Wine. Still wine, vermouth, or other aperitif wine, imitation, substandard, or artificial wine, compounds designated as wine, flavored or sweetened wine, champagne or sparkling wine, and artificially carbonated wine, containing not over 24 percent of alcohol by volume.

PAR. 2. Section 250.37 is amended to delete the reference to selling internal revenue stamps and to make it clear that this section does not apply where the tax is paid by tourists. As amended, § 250.37 reads as follows:

§ 250.37 United States Internal Revenue Service office.

The United States Internal Revenue Service office is authorized to issue internal revenue stamps and to collect internal revenue taxes on liquors and articles subject to tax, which are to be shipped to the United States. Whenever the internal revenue tax is paid in Puerto Rico, other than by tourists in accordance with Subpart F of this part, the tax shall be paid to the United States

Internal Revenue Service office as defined in this part and as provided in Subpart E of this part.

PAR. 3. Section 250.38 is amended to delete the definition of a bulk container and the reference to Puerto Rican law, and to make a minor clarifying change. As amended, § 250.38 reads as follows:

§ 250.38 Containers of distilled spirits.

Containers of distilled spirits brought into the United States from Puerto Rico, having a capacity of not less than one-half pint and not more than 1 gallon, shall conform to the requirements of Part 175 of this chapter.

(72 Stat. 1374; 26 U.S.C. 5301)

PAR. 4. Section 250.55 is amended to provide a copy of Form 27-B Supplemental for the revenue agent at the premises and to require that the applicant's copies of Form 27-B Supplemental be available for examination by revenue agents. As amended § 250.55 reads as follows:

§ 250.55 Filing and disposition of Form 27-B Supplemental.

Form 27-B Supplemental, in quintuplet, shall be submitted to the Director, Alcohol and Tobacco Tax Division, who shall indicate the rate of tax applicable to the product on each copy of the form. The Director shall retain one copy, forward one copy to the Officer-in-Charge, one copy to the Secretary, and one copy to the revenue agent at the premises of the applicant, and return one copy to the applicant. The applicant shall maintain his copies of Form 27-B Supplemental available for examination by revenue agents.

PAR. 5. A new section, § 250.68a, is added to consolidate the requirement previously set forth in §§ 250.79, 250.85, 250.94, and 250.103 that bond accounts be kept by proprietors and to specifically require showing of the balance available under the bond. The new § 250.68a reads as follows:

§ 250.68a Bond account.

Every person who files a bond under this subpart shall keep an account of the charges against and credits to the bond if the penal sum of his bond is less than the maximum prescribed in §§ 250.66(a), 250.66(b), 250.67, or 250.68, or if the penal sum allocated to his premises under § 250.66(c) is less than the prescribed maximum. He shall charge the bond with the amount of liability he accepts at the time he executes Form 2899, 2900, or 2926, and shall credit the bond with the amount of the tax paid at the time he files each return, Form 2901, 2927, or 2929, and remittance. The account shall also show the balance available under the bond at any one time.

PAR. 6. A new section, § 250.70a, is added to provide that notice be furnished the Secretary and the revenue agent of the approval of bonds. The new § 250.70a reads as follows:

§ 250.70a Notice of approval of bonds.

Upon approval of an original, a strengthening, or a superseding bond, the Officer-in-Charge shall notify the

Secretary, and the revenue agent at the premises, of the total penal sum of the bond or bonds, and in the case of a blanket bond, the amount of the penal sum allocated to the premises.

PAR. 7. Section 250.75 is amended to provide that notice be furnished the Secretary and the revenue agent of the proposed termination of any bond. As amended, § 250.75 reads as follows:

§ 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." The Officer-in-Charge shall, prior to the termination date, notify the Secretary and the revenue agent of the proposed termination of any bond given under this part and the date of such termination.

PAR. 8. Section 250.78 is amended to change the required number of copies of Form 2899, to remove the instructions concerning gauge of spirits, and to make editorial changes. As amended, § 250.78 reads as follows:

§ 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 sextuplet, by the proprietor of the bonded warehouse or bonded processing room. The proprietor 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 the permit, retain one copy, 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.

PAR. 9. Sections 250.79 to 250.83, inclusive, are amended (1) by rearranging the text, (2) by removing therefrom a reference to the proprietor's bond account, as the bond account requirements have been consolidated in § 250.68a, and (3) by deleting reference to the Secretary's approval of release of spirits, as such approval is made a function of the revenue agent. As amended, §§ 250.79 to 250.83, inclusive, read as follows:

§ 250.79 Gauge and computation of tax.

On receipt of permit to compute the tax, on Form 2899, the revenue agent shall gauge the spirits, make a report of his gauge on Form 2630, in quintuplet, and deliver all copies of Forms 2899 and 2630 to the proprietor. The proprietor shall then compute and enter the amount of the tax on all copies of Form 2899.

§ 250.80 Deferred payment of tax—release of spirits.

(a) *Action by proprietor.* Where the proprietor has furnished bond on Form 2896, and payment of the tax is to be deferred, he shall execute the agreement

on Form 2899 to pay the amount of tax which has been computed and entered on the form. 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 deliver all copies of Forms 2899 and 2630 to the revenue agent.

(b) *Action by revenue agent.* On receipt of the Forms 2899 and 2630, the revenue agent shall verify the computation of the tax entered on the Form 2899, and if the proprietor has on file a good and sufficient bond, Form 2896, so indicate on Form 2899. The revenue agent shall then execute his report of release on the Form 2899 and release the spirits for the purpose authorized on the form. He shall forward the original Forms 2899 and 2630 to the Officer-in-Charge, one copy of each form to the Bureau of Alcoholic Beverage Taxes, and one copy of each to the District Revenue Agent (Commonwealth of Puerto Rico), deliver one copy of each to the proprietor, and retain one copy of each for his file. Where the revenue agent finds that the proprietor does not have good and sufficient bond coverage, or where the revenue agent has received information that the proprietor is in default of payment of any taxes previously charged to his bond, he shall return all copies of Forms 2899 and 2630 to the proprietor, giving his reasons for such action.

§ 250.81 Prepayment of tax and release of spirits.

(a) *Action by proprietor.* 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, with all copies of Forms 2899 and 2630 and his remittance in full for the tax, to the Officer-in-Charge.

(b) *Action by Officer-in-Charge.* On receipt of Forms 2899, 2925, and 2630, with remittance covering prepayment of tax, the Officer-in-Charge shall execute his receipt on all copies of Form 2925 and his report of prepaid taxes on all copies of Form 2899. He shall then forward one copy of Form 2925 to the Secretary and one copy of Form 2925 and four copies of Forms 2899 and 2630 to the revenue agent, and retain the original of each form for his files.

(c) *Action by revenue agent.* On receipt of Form 2899 executed by the Officer-in-Charge to show receipt of Form 2925 and remittance, and a copy of the Form 2925, the revenue agent shall execute his report of release on the Form 2899 and release the spirits for the purpose authorized on the form. He shall forward one copy of the Form 2899 and one copy of Form 2630 to the Bureau of Alcoholic Beverage Taxes and one copy of each to the District Revenue Agent (Commonwealth of Puerto Rico), deliver

one copy of each to the proprietor, and retain one copy of each and the copy of Form 2925 for his file.

§ 250.82 Permit to ship.

Distilled spirits released from bonded storage under § 250.80 or § 250.81 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.

Spirits which are to be bottled without rectification may not be removed through the bonded processing room to the bottling house, but shall be removed directly from the bonded warehouse to the bottling house. The bottling operations shall be conducted under supervision of the revenue agent.

PAR. 10. Section 250.85 is amended to conform the section references to other changes made by these amendments, to add a reference to packaging, to change the required number of copies of Form 2926, to clarify the language in the first sentence of paragraph (b), and to delete reference to the proprietor's bond account. As amended, § 250.85 reads as follows:

§ 250.85 Rectification tax.

(a) *Computation.* After distilled spirits tax equal to the tax imposed in the United States by section 5001(a) (1), I.R.C., has been deferred or paid (as prescribed in § 250.80 or § 250.81), and the rectified spirits have been bottled and cased, or packaged, the rectifier shall prepare Form 2926, in quintuplet. 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, or packaged. He shall then submit all copies of the form to the revenue agent who, after verifying the computation of the tax, shall return all copies to the rectifier.

(b) *Deferred payment.* Where the rectifier has furnished bond on Form 2896, and payment of the tax is to be deferred, 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 deliver all copies of Form 2926 to the revenue agent. On receipt of Form 2926 the revenue agent shall determine the amount of bond available, and if the rectifier has on file a good and sufficient bond, Form 2896, the revenue agent shall so indicate on Form 2926. He shall then execute his report of release on the Form 2926 and release the spirits. The completed form will be distributed in the same manner as provided for Form 2899 in § 250.80(b).

(c) *Prepayment.* When the rectification tax is to be prepaid on completion of bottling and casing, or packaging, the

rectifier shall execute the statement on Form 2926 that such tax is being prepaid. He shall then prepare Form 2925, in quadruplicate, send the original and two copies of Form 2925, all copies of Form 2926, and remittance in full for the tax, to the Officer-in-Charge, and retain a copy of Form 2925 for his files. On receipt of Forms 2925 and 2926 with remittance covering prepayment of tax, the Officer-in-Charge shall execute his receipt on all copies of Form 2925 and his report of prepaid taxes on all copies of Form 2926. He shall forward one copy of Form 2925 to the Secretary and one copy of Form 2925 and four copies of Form 2926 to the revenue agent, and retain the original of each form for his files. On receipt of Form 2926, executed by the Officer-in-Charge to show receipt of Form 2925 and remittance, and a copy of Form 2925, the revenue agent shall execute his report of release on the Form 2926 and release the spirits. Completed Form 2926 will be distributed in the same manner as provided for Form 2899 in § 250.81(c). The revenue agent shall retain Form 2925.

PAR. 11. Sections 250.86 and 250.87 are amended to conform to recent liberalizing changes in the Puerto Rican law relating to bulk shipments of distilled spirits to the United States and to make conforming changes in cross-references. As amended, §§ 250.86 and 250.87 read as follows:

§ 250.86 Authority for shipment.

Where distilled spirits of Puerto Rican manufacture are to be shipped to the United States in containers having a capacity of more than one gallon, the laws and regulations of the Commonwealth of Puerto Rico require that prior approval for such shipment be obtained from the Secretary.

§ 250.87 Evidence of taxpayment.

Where, under the provisions of § 250.86, a person has made application to the Secretary for authority to ship distilled spirits of Puerto Rican manufacture to the United States in containers having a capacity of more than one gallon, he shall, at the same time, submit sworn evidence to the Secretary that the distilled spirits tax has been paid as provided in § 250.81 or deferred as provided in § 250.80, and that all rectification taxes incurred have been paid or deferred in the same manner as provided in § 250.85 for rectified spirits bottled and cased, or packaged, or he shall submit application, Form 2899, for permit to pay such taxes, as provided in § 250.78. When satisfied that the shipper 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 shipper. On receipt of the approved application, the shipper shall submit application for permit to ship, Form 487B, as prescribed in §§ 250.114 through 250.116.

PAR. 12. Section 250.88 is amended to provide for use of Form 3039 for procuring distilled spirits stamps and to delete the requirement that revenue agents ap-

prove applications for such stamps. As amended, § 250.88 reads as follows:

§ 250.88 Application for distilled spirits stamps, Form 3039.

On receipt of the two copies of approved Form 487B from the Secretary, the proprietor shall make application on Form 3039, in triplicate, for appropriate distilled spirits stamps. The proprietor shall give each form a serial number, beginning with "1" each calendar year and running consecutively thereafter to the end of the year. The serial number shall be prefixed by the last two digits of the year; e.g., "63-1." All copies of Form 3039, with one copy of the approved Form 487B, shall be submitted to the Officer-in-Charge.

PAR. 13. Section 250.89 is amended to identify the application for stamps as Form 3039, and to substitute "if the distilled spirits have been rectified" for "where rectification tax has been paid" to recognize that the product may have been rectified by a tax-exempt process, or that the rectification tax may have been deferred. As amended, § 250.89 reads as follows:

§ 250.89 Issuance of distilled spirits stamps.

On receipt of Form 3039, and the copy of the approved 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, if the distilled spirits have been rectified, the words "Rectified Product." When the stamps have been issued, the issuing officer shall enter the serial numbers thereof on each copy of the Form 3039; return the copy of Form 487B and one copy of the Form 3039, with the stamps, to the applicant; forward one copy of Form 3039 to the Secretary; and retain the original of Form 3039 for his files.

PAR. 14. Section 250.93 is amended to change the required number of copies of Form 2900, and to make reference to "proprietor" instead of "applicant." As amended, § 250.93 reads as follows:

§ 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 sextuplet, 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 proprietor 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, for example, "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 proprietor 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 proprietor 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 the permit, retain one copy, and return the original and four copies to the proprietor.

PAR. 15. Sections 250.94, 250.95, and 250.96 are amended (1) by rearranging the text, (2) by removing therefrom a reference to the proprietor's bond account, as the bond account requirements have been consolidated in § 250.68a, (3) by deleting reference to the Secretary's approval of the release of wine, as such approval is made a function of the revenue agent, and (4) by moving to a new section, 250.96b, the requirement for a permit to ship wine to the United States. As amended, §§ 250.94, 250.95, and 250.96 read as follows:

§ 250.94 Computation of tax.

On receipt of permit to compute the tax on Form 2900, the proprietor shall compute and enter the amount of the tax on all copies of the form.

§ 250.95 Deferred payment of tax—release of wine.

(a) *Action by proprietor.* Where the proprietor has furnished bond, on Form 2897, and payment of the tax is to be deferred, he shall execute the agreement on Form 2900 to pay the amount of tax which has been computed and entered on the form. 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 wine described on the form in addition to all other amounts chargeable against his bond. The proprietor shall deliver all copies of Form 2900 to the revenue agent.

(b) *Action by revenue agent.* On receipt of Form 2900, the revenue agent shall verify the computation of the tax entered on the form, and if the proprietor has on file a good and sufficient bond, Form 2897, so indicate on Form 2900. The revenue agent shall then execute his report of release on the Form 2900 and release the wine for the purpose authorized on the form. The completed form shall be distributed in the same manner as provided for Form 2899 in § 250.80(b). Where the revenue agent finds that the proprietor does not have good and sufficient bond coverage, or that the proprietor is in default of payment of any taxes previously charged to his bond, he shall return all copies of Form 2900 to the proprietor, giving his reasons for such action.

§ 250.96 Prepayment of tax—release of wine.

(a) *Action by proprietor.* Where the wine is 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 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, with all copies of Form 2900 and his remittance in full for the tax, to the Officer-in-Charge.

(b) *Action by Officer-in-Charge.* On receipt of Forms 2900 and 2928, and remittance covering prepayment of tax, the Officer-in-Charge shall execute his receipt on all copies of Form 2928, and his report of prepaid taxes on all copies of Form 2900. He shall then forward one copy of Form 2928 to the Secretary and one copy of Form 2928 and four copies of Form 2900 to the revenue agent, and retain the original of each form for his files.

(c) *Action by revenue agent.* On receipt of Form 2900 executed by the Officer-in-Charge to show receipt of Form 2928 and remittance, and a copy of Form 2928, the revenue agent shall execute his report of release on the Form 2900 and release the wine for the purpose authorized on the form. The completed Form 2900 shall be distributed in the same manner as provided for Forms 2899 in § 250.81(c). The revenue agent shall retain Form 2928.

PAR. 16. A new section, § 250.96a, has been inserted to provide procedure for the computation and the deferral or payment of rectification tax on wine. The new § 250.96a reads as follows:

§ 250.96a Rectification tax.

Where wine, on which tax equal to the tax imposed in the United States by section 5041, I.R.C., has been deferred or paid (as prescribed in § 250.95 or § 250.96), is rectified, the finished product is subject to tax equal to the rectification tax imposed in the United States by section 5021, I.R.C. Such tax shall be computed and deferred or paid in accordance with the applicable procedures set forth in § 250.85.

PAR. 17. A new section, § 250.96b, has been inserted to include the requirement, formerly in § 250.96, for securing a permit to ship wine to the United States. The new § 250.96b reads as follows:

§ 250.96b Permit to ship.

Wine released from bonded storage under § 250.95 or § 250.96 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.

PAR. 18. Section 250.99 is amended to conform the section references to other changes made by these amendments, and to make an editorial change. As amended, § 250.99 reads as follows:

§ 250.99 Taxpayment.

(a) *Distilled spirits.* Gauge of distilled spirits withdrawn for use in the manufacture of liqueurs, cordials, or sim-

ilar compounds containing wine shall be made and reported by the revenue agent in the manner prescribed in § 250.79, and the tax on such spirits, equal to the tax imposed in the United States by section 5001(a)(1), I.R.C., shall be computed and paid in accordance with the applicable provisions of §§ 250.79, 250.80, 250.81, and 250.111 through 250.113.

(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., shall be computed in accordance with the provisions of § 250.94 and paid in accordance with the applicable provisions of §§ 250.95, 250.96, and 250.111 through 250.113.

(c) *Finished product.* If the finished product is subject to tax equal to the rectification tax imposed in the United States by section 5021 or section 5022, I.R.C., such tax shall be computed and paid in accordance with the applicable provisions of §§ 250.85, and 250.111 through 250.113. Containers of 1 gallon or less of liqueurs, cordials, or similar compounds shall bear red strip stamps as provided in Subpart G of this part.

PAR. 19. Section 250.102 is amended to change the required number of copies of Form 2900 and to make editorial changes. As amended, § 250.102 reads as follows:

§ 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 sextuplet. 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 2900 to the Secretary. If the application is properly prepared and is otherwise in order, the Secretary or his delegate shall execute the permit, retain one copy, and return the original and four copies to the brewer.

PAR. 20. Sections 250.103, 250.104, and 250.105 are amended (1) by rearranging the text, (2) by removing therefrom a reference to the proprietor's bond account, as the bond account requirements have been consolidated in § 250.68a, (3) by deleting reference to the Secretary's approval of the release of beer, as such approval is made a function of the revenue agent, and (4) by moving to a new section, § 250.105a, the requirement for a permit to ship beer to the United States. As amended, §§ 250.103, 250.104, and 250.105 read as follows:

§ 250.103 Computation of tax.

On receipt of permit to compute the tax on Form 2900 the brewer shall compute and enter the amount of the tax on all copies of the form.

§ 250.104 Deferred payment of tax—release of beer.

(a) *Action by brewer.* Where the brewer has furnished bond on Form 2898, and payment of the tax is to be deferred, he shall execute the agreement on Form 2900 to pay the amount of tax which has been computed and entered on the form. 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 beer described on the form in addition to all other amounts chargeable against his bond. The brewer shall deliver all copies of Form 2900 to the revenue agent.

(b) *Action by revenue agent.* On receipt of Form 2900, the revenue agent shall verify the computation of the tax entered on the form, and if the proprietor has on file a good and sufficient bond, Form 2898, so indicate on Form 2900. The revenue agent shall then execute his report of release on the Form 2900 and release the beer for the purpose authorized on the form. The completed form shall be distributed in the same manner as provided for Form 2899 in § 250.80(b). Where the revenue agent finds that the proprietor does not have good and sufficient bond coverage, or that the proprietor is in default of payment of any taxes previously charged to his bond, he shall return all copies of Form 2900 to the proprietor, giving his reasons for such action.

§ 250.105 Prepayment of tax—release of beer.

(a) *Action by brewer.* Where the beer is to be withdrawn from bonded storage after payment of the computed tax, the brewer shall enter the amount of 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, with all copies of Form 2900 and his remittance in full for the tax, to the Officer-in-Charge.

(b) *Action by Officer-in-Charge.* On receipt of Forms 2900 and 2930, and remittance covering prepayment of tax, the Officer-in-Charge shall execute his receipt on all copies of Form 2930, and his report of prepaid taxes on all copies of Form 2900. He shall then forward one copy of Form 2930 to the Secretary and one copy of Form 2930 and four copies of Form 2900 to the revenue agent, and retain the original of each form for his files.

(c) *Action by revenue agent.* On receipt of Form 2900 executed by the Officer-in-Charge to show receipt of Form 2930 and remittance, and a copy of Form 2930, the revenue agent shall execute his report of release on the Form 2900 and release the beer for the purpose authorized on the form. The completed Form 2900 shall be distributed in the

same manner as provided for Forms 2899 in § 250.81(c). The revenue agent shall retain Form 2930.

PAR. 21. A new section, § 250.105a, has been added to include the requirement, formerly in § 250.105, for securing a permit to ship beer to the United States. The new § 250.105a reads as follows:

§ 250.105a Permit to ship.

Beer released from bonded storage under § 250.104 or § 250.105 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.

PAR. 22. Section 250.109 is amended to conform the section references to other changes made by these amendments and to make editorial changes. As amended, § 250.109 reads as follows:

§ 250.109 Taxpayment.

(a) *Distilled spirits.* The tax on distilled spirits used in the manufacture of 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 in accordance with § 250.79 and paid in accordance with the applicable provisions of §§ 250.80, 250.81, and 250.111 through 250.113.

(b) *Wine.* The tax on wine used in the manufacture of 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 in accordance with § 250.94 and paid in accordance with the applicable provisions of §§ 250.95, 250.96, and 250.111 through 250.113.

(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 in accordance with § 250.103 and paid in accordance with the applicable provisions of §§ 250.104, 250.105, and 250.111 through 250.113.

PAR. 23. Section 250.110 is amended to delete reference to the Secretary's approval of the release of liquors and to provide procedure to be followed by the revenue agent in releasing liquors. As amended, § 250.110 reads as follows:

§ 250.110 Release of liquors.

After determining that the proprietor has good and sufficient bond coverage, or, in the case of prepayment, on receipt of Form 2899 or Form 2900 executed by the Officer-in-Charge to show receipt of Forms 2925, 2928, or 2930, and remittance, the revenue agent shall execute his report of release on the Form 2899 or Form 2900 and release the liquors for use in the manufacture of articles. He shall forward one copy of the Form 2899 or Form 2900, and of Form 2630 (if any) to the Bureau of Alcoholic Beverage Taxes and one copy of each to the District Revenue Agent (Commonwealth of Puerto Rico), deliver one copy of each to the applicant, and retain one copy of each for his file. In the case of deferred payment, the original Form 2899 or Form 2900 and the original Form 2630 (if any) shall be forwarded to the Officer-in-

Charge. A permit shall be obtained as provided in §§ 250.114 through 250.116 before the articles manufactured from such liquors may be shipped to the United States.

PAR. 24. Section 250.112(f) is amended to provide procedure for notifying the Secretary and the revenue agent when a taxpayer has defaulted in a payment of tax. As amended, § 250.112(f) reads as follows:

§ 250.112 Taxes to be collected by returns for semi-monthly periods.

(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. During such period, distilled spirits, wine, or beer shall not be released from bonded premises before the proprietor of the bonded premises has paid the tax thereon. In the event of default, the Officer-in-Charge shall immediately notify the Secretary and the revenue agent at the premises that tax is to be prepaid until further notice, and when he finds that the revenue will not be jeopardized by resumption or deferred payment of tax under this section, he shall notify the Secretary and the revenue agent that deferred payment may be resumed.

PAR. 25. Sections 250.126 and 250.128 are amended (1) to provide that tourists may pay United States internal revenue taxes on liquors and articles of Puerto Rican manufacture to U.S. Customs authorities, (2) to make clarifying changes in language, and (3) to revise the statutory citations at the end thereof. As amended, §§ 250.126 and 250.128 read as follows:

§ 250.126 Taxpayment in Puerto Rico.

Liquors upon which all Federal internal revenue taxes have been paid in Puerto Rico may be brought into the United States for personal consumption without payment of additional taxes thereon. Containers of spirits taxpaid and bottled for sale to tourists shall have red strip stamps affixed by the distiller, bottler, or rectifier who paid the tax, and such stamps on bottles in possession of tourists shall be evidence to customs authorities at the port of departure and at the port of arrival that the tax on the spirits has been paid. When distilled spirits not bearing such stamps, or wines, or beer, are purchased by a tourist for consumption in the United States, the internal revenue tax due thereon may be paid to the United States Internal Revenue Service office, and a receipt on Form 1 obtained, or the tax may be paid to the U.S. Customs authorities, who will issue a receipt. The tax on articles purchased by tourists may be paid in the same manner. The receipt received from the United States Internal Revenue Service office or from the customs officer shall be presented, as required, as evidence that the tax has been paid.

(72 Stat. 1335, 1358; 26 U.S.C. 5061, 5205)

§ 250.128 Taxpayment at port of arrival.

If the internal revenue tax on liquors and articles is not paid in Puerto Rico, it shall be paid by the tourist at the port of arrival prior to release of the liquors or articles from customs custody. Payment of the tax may be made to the collector of customs, or to the district director of internal revenue. If payment is to be made to the district director, the collector of customs will notify the district director of the amount of tax due. On payment of the tax, the district director will issue a receipt therefor on Form 1 to the taxpayer for submission to the collector of customs, who will release the liquors or articles. The amount of tax, whether received from the taxpayer or by transfer from the collector of customs, will be recorded by the district director as a Puerto Rican collection. Liquors brought into the United States by tourists for personal consumption are not required to be strip stamped when taxpaid by the tourist, whether at the port of departure in Puerto Rico or on arrival in the United States.

(72 Stat. 1335, 1358; 26 U.S.C. 5061, 5205)

PAR. 26. Section 250.135 is amended (1) to specify that only containers of 1 gallon or less must have red strip stamps affixed, (2) to add a reference to § 250.185, and (3) to revise the statutory citations at the end thereof. As amended, § 250.135 reads as follows:

§ 250.135 Containers of distilled spirits to bear red strip stamps.

Immediate containers of 1 gallon or less of distilled spirits, upon which all Federal internal revenue taxes have been paid or deferred in Puerto Rico under the provisions of this part, shall have red strip stamps affixed thereto in accordance with the provisions of this subpart, prior to shipment to the United States. Except as provided in § 250.185, containers having a capacity of 1 gallon or less, containing distilled spirits which have not been taxpaid in Puerto Rico, may not be red strip stamped.

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

PAR. 27. Section 250.143 is amended to change the reference to the Commonwealth official from Treasurer to Secretary. As amended, § 250.143 reads as follows:

§ 250.143 Procurement of red strip stamps.

The distiller, rectifier, or bottler, or his duly authorized agent, shall submit the original and two copies of the approved Form 428 to the United States Internal Revenue Service office, which office will issue the number of stamps covered by the approved requisition, enter the serial numbers of the stamps issued, and stamp the date of issue on all copies of Form 428. The issuing office will retain the original for its files, send one copy with the strip stamps to the revenue agent at the bottling plant, and one copy to the Secretary.

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

PAR. 28. Section 250.184 is amended to include packaging and to make editorial

changes. As amended, § 250.184 reads as follows:

§ 250.184 Procedural requirements.

Taxes shall be computed and paid at the rates prescribed by law. The provisions of Subpart E of this part relative to bonds shall be applicable to liquors withdrawn under this subpart where payment of tax is to be deferred. The provisions of Subpart E of this part relative to the procurement of permit on Form 2899 or Form 2900, computation and payment of tax, release of liquors, procurement of permit to ship to the United States, 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 and/or bottling or packaging.

PAR. 29. Section 250.185 is amended to change a reference from section to subpart, to provide that distilled spirits stamps shall be affixed to containers of more than 1 gallon, and to revise the statutory citations at the end thereof. As amended, § 250.185 reads as follows:

§ 250.18 Stamps.

United States internal revenue red strip stamps which are to be affixed to containers of spirits intended for shipment to the United States shall be procured from the United States Internal Revenue Service office. Where the tax is to be paid in accordance with the provisions of this subpart, the stamps may be affixed to the containers prior to taxpayment. The provisions of §§ 250.135 through 250.146 shall govern the procurement, overprinting, affixing, reporting, etc., of red strip stamps procured and used under this subpart. Where taxpaid distilled spirits intended for shipment to the United States are in containers of more than 1 gallon, distilled spirits stamps shall be procured and affixed, and the containers released, as provided in §§ 250.88 through 250.91.

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

PAR. 30. Section 250.203 is amended by clarifying the language, and by revising the statutory citations at the end thereof. As amended, § 250.203 reads as follows:

§ 250.203 Containers of 1 gallon or less.

Containers of distilled spirits brought into the United States from the Virgin Islands, having a capacity of not less than one-half pint and not more than 1 gallon, shall conform to the requirements of Part 175 of this chapter.

(72 Stat. 1374; 26 U.S.C. 5301)

PAR. 31. A new section, 250.203a, is added to direct attention to customs requirements. The new § 250.203a reads as follows:

§ 250.203a Containers in excess of 1 gallon.

Containers of distilled spirits brought into the United States from the Virgin Islands, having a capacity in excess of 1 gallon, are required to be marked and

stamped in accordance with customs regulations (19 CFR Chapter I).

[F.R. Doc. 63-7491; Filed, July 16, 1963; 8:52 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1030]

[Docket No. AO-101-A29]

MILK IN CHICAGO, ILLINOIS, MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Chicago, Illinois, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., not later than the close of business the 3d day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Chicago, Illinois, on May 23-29, 1963, pursuant to notices thereof which were issued April 15, 1963 (28 F.R. 3858) and April 30, 1963 (28 F.R. 4463).

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

1. Eliminating three townships in Lake County, Indiana, from the marketing area.
 2. Changing the qualifications for attaining pool plant status.
 3. Providing for a skim milk and but-terfat basis of accounting.
 4. Including in two classes the classification now contained in Class I, Class II and Class III.
 5. Establishing butterfat differentials applicable to Class I and Class II milk and to the uniform price.
 6. Revising location differentials applicable to class prices and in paying producers.
 7. Discontinuing the base and excess plan in paying producers.
 8. Administrative and conforming changes.
- This decision relates only to material issue 7, discontinuing the base and excess plan in paying producers. The re-

mainder of the material issues are reserved for further decision on the record of this hearing.

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

7. The "base and excess" plan of distributing returns for milk among producers should be discontinued.

The base and excess plan was incorporated in the order September 1, 1954, to supplement the seasonally variable Class I and Class II prices in providing incentive to reduce the seasonality of milk delivered to the market. The base and excess plan establishes a base for each producer for the months of March through June according to his deliveries to pool plants during the preceding September, October and November. In each month of March through June separate uniform prices for "base milk" and "excess milk" are computed so that Class I and Class II utilizations are first allotted to base milk. For all other months producers receive the market-wide uniform price for all milk delivered to pool plants.

There was no opposition to the proposal of the major producer associations in the market to remove the base and excess plan from the order.

The base and excess plan of distributing returns to producers in the Chicago market has served the purpose for which it was established and need for the provision no longer exists. In 1962, May production was 15 percent above the monthly average for the year and 35 percent above that for the month of lowest production. For May 1952, the corresponding figures were 25 percent more than the monthly average and 50 percent more than the lowest production month. Total production for the market from 1952 to 1962 increased from 3.8 to 5.9 billion pounds.

The producer associations attributed part of the substantial yearly increases in total production in the Chicago market to the incentive a base-excess plan tends to provide farmers to increase production, not only in the months when bases are formed but also in the other months of the year.

It is not possible to separate clearly the effects of a base-excess plan in contributing to increased production from the incentive for higher production provided by other factors. However, under current and prospective conditions, the variable seasonal Class I prices may reasonably be expected to obtain adequate production for the market without the added incentive of the base-excess plan.

Deleting the base-excess plan for distributing returns from milk among producers will not change handlers' cost of milk in its various use classifications.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent

that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

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

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

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

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

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Chicago, Illinois marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. Revoke § 1030.18.
2. Revoke § 1030.30(a)(3).
3. In § 1030.30(b)(1) revoke the provision "and for the delivery periods of September through November, and March through June, the number of days on which milk was received,".
4. Revoke § 1030.69.
5. Revoke § 1030.71(d).
6. In § 1030.71(f) revoke the provision, "except that for the months of March, April, May and June the price resulting from the computations made pursuant to this section shall be the uniform price for base milk".
7. Revoke § 1030.71(g).
8. In § 1030.80(b) revoke the provision, "of July through February".
9. Revoke § 1030.80(c).

10. In the introductory text of § 1030.81 revoke the provision, "and (c)".

Signed at Washington, D.C., on July 11, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63-7512; Filed, July 16, 1963;
8:58 a.m.]

[7 CFR Part 1031]

[Docket No. AO-170-A15]

**MILK IN SOUTH BEND-LA PORTE-
ELKHART, INDIANA MARKETING
AREA**

**Notice of Recommended Decision and
Opportunity To File Written Excep-
tions on Proposed Amendments to
Tentative Marketing Agreement
and to Order (Partial)**

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the South Bend-La Porte-Elkhart, Indiana marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., not later than the close of business the 3d day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at South Bend, Indiana, May 7-8, 1963 pursuant to notice thereof which was issued April 15, 1963 (28 F.R. 3872).

The material issues on the record of hearing relate to:

1. Expansion of the marketing area.
2. The supply-demand adjustment applicable to the Class I price.
3. Class II and Class III milk: classification and pricing.
4. Revision of location differential adjustments.
5. Reduction of butterfat differential rates.
6. Discontinuing the base-excess plan in paying producers.
7. Increasing the marketing service assessment.
8. Miscellaneous administrative and conforming changes.

This decision relates only to material issue 6, discontinuing the base and excess plan in paying producers. The remainder of the material issues are reserved for further decision on the record of this hearing.

Findings and conclusions. The following findings and conclusions on the

material issue are based on evidence presented at the hearing and the record thereof:

6. The "base and excess" plan of distributing returns for milk among producers should be discontinued.

The base and excess plan establishes a base for each producer for the months of April through July according to his deliveries to pool plants during the preceding September through December. In each month of April through July, separate uniform prices for "base milk" and "excess milk" are computed so that Class I milk sales are allotted first to base milk. For all other months, producers receive the marketwide uniform price for all milk deliveries to pool plants.

There was no opposition to the proposal of the producer association to remove the base and excess plan from the order.

The base and excess plan was incorporated in the order September 1, 1954, to supplement the seasonally variable Class I price in providing incentive to reduce the seasonality of milk delivered to the market. A similar plan was also made effective then in the Chicago order.

The base and excess plan in this market was established at the same time as that of the Chicago market in order to align prices to producers under both orders. The producer association in this market, which represents a substantial number of producers in the Chicago market, proposed discontinuing the base and excess plan under the Chicago order. A decision on the Chicago order (28 F.R. 7301) recommends discontinuance of its base-excess plan.

There is substantial overlapping of production areas of the Chicago and South Bend-La Porte-Elkhart markets. Discontinuing the Chicago order base-excess plan and the need for maintaining similar prices in the overlapping production areas make it inappropriate to continue such plan under this order.

Under current and prospective conditions, the variable seasonal Class I prices reasonably may be expected to obtain adequate production for the market without the added incentive of the base-excess plan.

Deleting the base-excess plan for distributing returns from milk among producers will not change handlers' costs of milk in its various use classifications.

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

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously

issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

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

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

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

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the South Bend-La Porte-Elkhart, Indiana marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

- (1) Revoke § 1031.18.
- (2) Revoke § 1031.22(k).
- (3) Revoke § 1031.30(a) (4).
- (4) Revoke § 1031.31(b) (3) and (4).
- (5) Revoke § 1031.62.
- (6) Revoke § 1031.63.
- (7) In the introductory text of § 1031.71, revoke the provision "of August through March".
- (8) Revoke § 1031.72.
- (9) In § 1031.80(a) revoke the provision "for the months of August through March and the uniform prices for base milk and excess milk for the months of April through July".
- (10) In the first column heading of the schedule in § 1031.80(c), revoke the provision "or base price".
- (11) In § 1031.81(b), revoke the provision "per hundredweight for the months of August through March, and the uniform price per hundredweight for base milk for the months of April through July".

Signed at Washington, D.C., on July 11, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63-7516; Filed, July 16, 1963;
9:01 a.m.]

[7 CFR Part 1045]

MILK IN NORTHEASTERN WISCONSIN
MARKETING AREANotice of Proposed Termination of
Certain Provisions of Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of certain provisions of the order regulating the handling of milk in the Northeastern Wisconsin marketing area is being considered.

The provisions proposed to be terminated are:

- (1) Section 1045.17.
- (2) Section 1045.18.
- (3) In § 1045.22(i) (2), the provision "of July through February".
- (4) Section 1045.22(i) (3).
- (5) In § 1045.30(a) (1), the provision "(including for the months of March through June the aggregate amount of base and excess milk)".
- (6) In § 1045.31(a), the provision "(including for the months of March through June the total pounds of base and excess milk)".
- (7) In the introductory text of § 1045.62, the provision "of July through February".
- (8) Section 1045.63.
- (9) In § 1045.64, the "s" from "prices", one "\$" preceding the reference "1045.62" and the provision "and 1045.63".
- (10) In § 1045.65, the provision "and the uniform price for base milk pursuant to § 1045.63".
- (11) In § 1045.66(b), the "s" from "prices", one "\$" preceding the reference "1045.62" and the provision "or 1045.63".
- (12) In § 1045.70(a), the "s" from "prices" and the provision "or § 1045.63".
- (13) In § 1045.70(b) (1) (i), the provision "including, for the months of March through June, the pounds of base and excess milk".
- (14) Section 1045.85.
- (15) Section 1045.86.
- (16) Section 1045.87.

These provisions all relate to the base and excess plan of the order.

A cooperative association which represents a substantial number of producers on the market has requested elimination of the base and excess plan provisions of the order.

Elimination of the Chicago order base and excess plan was proposed at a hearing held May 23-29, 1963, at Chicago. Removal of the base and excess plan from the Northeastern Wisconsin order was requested because of (1) the contemplated elimination of the base-excess plan from the Chicago order, and (2) the substantial overlapping of production areas of the Chicago and Northeastern Wisconsin markets.

All persons who desire to submit written data, views and arguments in connection with the proposed termination should file the same with the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., not later than three days from the date of publication of this notice in the FEDERAL

REGISTER. All documents filed should be in quadruplicate.

Signed at Washington, D.C., on July 12, 1963.

LINLEY E. JUERS,
*Acting Deputy Administrator,
Regulatory Programs, Agri-
cultural Marketing Service.*

[F.R. Doc. 63-7513; Filed, July 16, 1963;
9:00 a.m.]

[7 CFR Part 1038]

MILK IN ROCK RIVER VALLEY
MARKETING AREANotice of Proposed Termination of
Certain Provisions of Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of certain provisions of the order regulating the handling of milk in the Rock River Valley marketing area is being considered.

The provisions proposed to be terminated are:

- (1) Section 1038.19.
- (2) Section 1038.20.
- (3) In § 1038.32(j) (2), the provision "of July through February".
- (4) Section 1038.32(j) (3).
- (5) Section 1038.32(1).
- (6) In § 1038.35(a) (1), the provision "(including for each month of March through June the quantity of producer milk that is base milk and excess milk)".
- (7) In § 1038.36(b), the provision "(including for each month of March through June the quantity of producer milk that is base milk and excess milk)".
- (8) In § 1038.62, the provision "of July through February".
- (9) Section 1038.63.
- (10) In § 1038.70(a), the "s" from "prices" and the provision "or § 1038.63".
- (11) In § 1038.70(c) (2), the provision "(including for the months of March through June, the pounds of base milk and excess milk)".
- (12) In § 1038.71, the "s" from "prices", one "\$" preceding the reference "1038.62" and the provision "and 1038.63".
- (13) In § 1038.72, the provision "and the uniform price for base milk pursuant to § 1038.63".
- (14) Section 1038.80.
- (15) Section 1038.81.

These provisions all relate to the base and excess plan of the order.

This action was requested by the two cooperatives that represent more than two-thirds of the producers for the market.

Elimination of the Chicago order base and excess plan was proposed at a hearing held May 23-29, 1963 at Chicago. Removal of the base and excess plan from the Rock River Valley order was requested because of (1) the contemplated elimination of the base-excess plan from the Chicago order and (2) the substantial overlapping of production areas of the Chicago and Rock River Valley markets.

All persons who desire to submit written data, views and arguments in con-

nection with the proposed termination should file the same with the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., not later than 3 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

Signed at Washington, D.C., on July 12, 1963.

LINLEY E. JUERS,
*Acting Deputy Administrator,
Regulatory Programs, Agri-
cultural Marketing Service.*

[F.R. Doc. 63-7515; Filed, July 16, 1963;
9:00 a.m.]

[7 CFR Part 1063]

[Docket No. AO-105-A16]

MILK IN QUAD CITIES-DUBUQUE
MARKETING AREADecision on Proposed Amendments to
Tentative Marketing Agreement
and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Moline, Illinois, on May 21, 1963, pursuant to notice thereof issued on April 19, 1963 (28 F.R. 4094).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Secretary of Agriculture on June 21, 1963 (28 F.R. 6559; F.R. Doc. 63-6753) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (28 F.R. 6559; F.R. Doc. 63-6753) are hereby approved and adopted and are set forth in full herein.

The material issue on the record of the hearing relates to using a base and excess plan in paying producers.

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

A base and excess plan of distributing returns for milk among producers should be incorporated into the order.

The Mississippi Valley Milk Producers Association which supplies about 75 percent of the milk in the market proposed that a base and excess plan be used in paying producers. Supporting testimony was presented by the Clinton Cooperative Milk Producers Association representing about 15 percent of the producers in the market. There was no opposing testimony offered on the hearing record.

There is substantial seasonality in deliveries of producer milk in the Quad Cities-Dubuque market. For the three years ending in June 1962, total deliveries in the high month of spring de-

liveries (usually May) were from 41 to 63 percent higher than those of the low month of deliveries in the preceding fall (usually November). Average deliveries per producer were from 35 to 53 percent greater in the spring months than in the fall months. In each of these years the seasonal increase in total receipts was at a higher rate than for the nearby Chicago market.

Proponent stated that the association has full supply contracts with a number of handlers. Due to the seasonal variation in production, milk has been imported to fulfill contracts in the fall months while in the spring outlets for the surplus supplies are difficult to find. This tends to increase the cost of marketing member's milk.

The nearby Chicago, Rock River Valley and Des Moines orders contain base-excess plans, although Chicago producers have proposed removal of the plan from that order. As a result there has been a tendency in the past for producers associated with these markets who have highly seasonal production patterns to attempt to sell their milk in the Quad Cities-Dubuque pool in the spring in order to avoid the lower returns resulting in those markets from large amounts of excess milk.

Evidence was introduced indicating that while some producers have relatively even production others have highly seasonal production patterns. A base-excess plan will increase the incentive for even production, since the producer with highly seasonal production will receive a lower excess price for more of his milk in spring months than will the producer with a level production pattern.

The base-forming period should be the months of September through November. These are the months of seasonally low production in the milkshed and are also the base-forming months under the nearby Rock River Valley order. In view of the overlapping of the Quad Cities-Dubuque and Rock River Valley milksheds it is appropriate that the base-forming period be the same.

The daily base for each producer should be determined by the market administrator by dividing the total pounds of milk received from such producer during the base-forming period by the number of days such milk was produced, but not less than 60 days. This will provide assurance that producers forming bases in this manner have a substantial degree of association with the market during the period of seasonally low production.

Under the base and excess plan herein recommended, producers will continue to receive the marketwide blend or uniform price for all milk which they deliver to pool plants during the months of July through February. For deliveries during each month of March through June, separate uniform prices for "base milk" and "excess milk" would be computed. Base milk would be the quantity of producer milk received by a handler during these months which is not in excess of such producer's daily base multiplied by the number of days such milk was produced. Class II disposition in the market would first be assigned to ex-

cess milk and the remaining use values would be assigned to base milk. If the total Class I disposition should ever be more than the base milk received from producers in any month, such additional Class I milk would be allocated to excess milk and the excess blend price would be increased accordingly.

The producer location adjustments should be applied to prices paid producers for base milk. Since excess milk will represent principally producer milk classified in Class II to which no location adjustment is applicable, the producer price for excess milk should not be subject to location adjustments. The producer butterfat differential applicable to the uniform price should be used to adjust the uniform prices for base and excess milk.

New producers coming in the market after the base-forming period should be allotted bases. Also a producer with an earned base who desires to change his level of production should be permitted to relinquish his base and establish the base of a new producer. This would add flexibility to the plan and accommodate abnormal circumstances. In such cases a base for each month of March through June would be calculated by multiplying the average daily deliveries by 50 percent for March and April, and 40 percent for May and June.

An exception is made to these percentages for the year 1964 when the applicable rate should be 55 percent for March and April, and 45 percent for May and June. Both cooperative associations testified that their members had been aware for some time of the possibility that a base and excess plan would be incorporated into the order with daily bases to be formed this fall. However, independent producers may not have had enough notice to make the changes which may be necessary to adjust production patterns for optimum benefits under this plan. These higher percentages should alleviate possible hardships but not encourage substantial numbers of producers to relinquish their earned bases.

On or before March 1 of each year the market administrator should notify each producer and the handler receiving milk from such producer of the base established by such producer. This will provide adequate time for the market administrator to complete the extensive work of computing and announcing bases. It was proposed that producers relinquishing their bases notify the market administrator by January 15. In view of the possibility that bases may not be announced until March 1, a half-month period thereafter should be allowed to producers for deciding whether to relinquish their earned bases.

If a plant were a nonpool plant during the preceding September through November period and became a pool plant during any of the subsequent months of March through June, provision should be made for assigning bases to the dairy farmers regularly supplying such plant. This would be effectuated by according such dairy farmers the same treatment as other producers in establishing bases. Bases would be computed from deliveries

to the plant in the base-forming period for dairy farmers who became producers by virtue of the plant to which they delivered milk in the base-forming period having subsequently qualified as a pool plant.

Base period deliveries to other Federal order markets could also provide an appropriate means for computation of bases for producers shifting to the Quad Cities-Dubuque market. This record, however, does not provide adequate opportunity for including reciprocal provisions in this and nearby orders.

Certain rules regulating the transfer of established bases were proposed and are adopted herein. These are patterned after the base rules in the Chicago and Rock River Valley orders and will tend to promote a better understanding of the base and excess plan among producers in the areas where the Quad Cities-Dubuque, Chicago and Rock River Valley milksheds overlap.

A producer may retain his base when he moves to another farm. Provision should be made, however, that he may transfer his entire base to another person who will produce milk on the farm on which the base was established. The producer making the transfer should notify the market administrator in writing on or before the last day of the month that the base is to be transferred showing the name of the transferee and the effective date of the transfer. In case of the death of a producer, provision is made that the notice of transfer required may be from any member of the producer's immediate family.

If more than one producer ships from a farm one base should be computed for the farm to be allocated to each producer according to his share in the sale of milk from the farm unless one of the producers has a base earned while he was on another farm and requests that he be allowed to retain such base. Provision should also be made for division of a jointly held base and to allow a producer to transfer credit towards establishment of a base in the same manner as he may transfer a base.

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

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

findings and determinations set forth herein.

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

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

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

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

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

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

Determination of representative period. The month of May 1963 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order amending the order regulating the handling of milk in the Quad Cities-Dubuque marketing area, is approved or favored by producers, as defined under the terms of the order as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on July 11, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

Order¹ Amending the Order Regulating the Handling of Milk in the Quad Cities-Dubuque Marketing Area

§ 1063.0 Findings and determinations.

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

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

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

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

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

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

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Assistant Secretary of Agriculture, on June 21, 1963, and published in the FEDERAL REGISTER on June 26, 1963 (28 F.R. 6559; F.R. Doc. 63-6753), shall be and are the terms

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

and provisions of this order, and are set forth in full herein.

1. New §§ 1063.18 and 1063.19 are added and read as follows:

§ 1063.18 Base milk.

"Base milk" means the quantity of producer milk received by a handler during each of the months of March through June which is not in excess of such producer's daily base computed pursuant to § 1063.64 multiplied by the number of days such milk was produced.

§ 1063.19 Excess milk.

"Excess milk" means the quantity of producer milk received by a handler during each of the months of March through June which is in excess of the base milk received from such producer.

2. In § 1063.22 subparagraph (j) (2) is revised, a new subparagraph (j) (3) is added and a new paragraph (l) is added to read as follows:

§ 1063.22 Duties.

* * * * *

(j) * * *

(1) * * *

(2) The 10th day after the end of each month the uniform price pursuant to § 1063.72 and the producer butterfat differential pursuant to § 1063.81 for the preceding month; and

(3) The 10th day after the end of each month of March through June the uniform prices for base milk and excess producer butterfat differential pursuant to milk pursuant to § 1063.73 and the pro- § 1063.81 for the preceding months.

* * * * *

(1) On or before March 1 of each year, notify each producer and the handler receiving milk from such producer of the base established by such producer.

3. Section 1063.30(a) is revised to read as follows:

§ 1063.30 Reports of receipts and utilization.

* * * * *

(a) The quantities of skim milk and butterfat contained in receipts of producer milk including for each month of March through June the aggregate quantities of base milk and excess milk, respectively;

4. Section 1063.60 is revised to read as follows:

§ 1063.60 Producer-handler.

Sections 1063.70 through 1063.73 and 1063.80 through 1063.88 shall not apply to a producer-handler.

5. New §§ 1063.64 and 1063.65 are added and read as follows:

§ 1063.64 Daily base.

The daily base for each producer for each of the months of March through June shall be determined by the market administrator as follows:

(a) Divide the total pounds of milk received from such producer by a handler during the months of September through November immediately preceding by the number of days such milk was produced, but not less than 60 days;

(b) Any producer for whom a base has been computed may, upon written notice to the market administrator postmarked not later than March 15, relinquish his base and be allotted a base computed pursuant to paragraph (c) of this section;

(c) Any producer who has not earned a base by deliveries during the previous September, October and November, and any producer who elects to relinquish his base pursuant to subparagraph (b) of this paragraph, shall be allotted a base for each of the delivery periods of March through June equal to the following percentages of his average daily deliveries:

Month:	Percentage
March -----	50
April -----	50
May -----	40
June -----	40

Provided, That for March, April, May and June 1964, the percentages used shall be, respectively, 55, 55, 45 and 45; and

(d) For the purpose of computing the base of a producer pursuant to this section, the deliveries of any dairy farmer during the preceding September through November to a nonpool plant that is a pool plant in any of the months of March through June shall be considered producer milk received by a handler.

§ 1063.65 Base rules.

Any base computed pursuant to § 1063.64(a) shall be subject to the following rules:

(a) A base shall be held in the name of the producer and may be transferred only at his option.

(b) The milk to which the transferred base shall apply must be produced on the same farm from which such base was earned, and the transferor must notify the market administrator in writing on or before the last day of the month that such base is to be transferred indicating the name of the transferee and the effective date of the transfer; and in the event of a producer's death his base may be so transferred upon written notice to the market administrator from any member of the producer's immediate family.

(c) Where two or more producers deliver milk from the same farm, the market administrator shall compute one base for each such farm, which base shall be held jointly in the names of the producers, and during March, April, May and June, each producer having an interest in a jointly held base shall share the base during each month in the same proportion as he shares in the milk deliveries during such month: *Provided*, That if the producers have earned bases separately, one or more of which was earned on another farm, each producer may retain his individual base if application is made in writing to the market administrator postmarked not later than the last day of the first month during which the base is to apply.

(d) When two or more producers holding a joint base cease delivering milk from the same farm, the base may be divided among the producers having an interest in such base by notification in

writing to the market administrator postmarked not later than the last day of the month during which the division is to be effective, such notification to specify the terms of division of base and bearing the signatures of all interested producers: *Provided*, That in the event producers do not notify the market administrator of their agreed terms of division of base by letter postmarked not later than the last day of the month during which the division is effective, the market administrator shall divide the base among the producers in the same ratio as they shared in the milk deliveries during the base-making period, or if the base is held in the name of a partnership, it shall be divided equally among the interested producers.

(e) Subject to the provisions set forth in paragraphs (a) and (b) of this section, a producer who discontinues shipping milk to a pool plant during September, October or November may transfer to another producer credit for milk deliveries for base-making purposes.

6. Section 1063.71 is revised and new §§ 1063.72 and 1063.73 are added to read as follows:

§ 1063.71 Computation of aggregate value used to determine uniform price.

For each month the market administrator shall compute an aggregate value from which to determine the uniform price per hundredweight for producer milk of 3.5 percent butterfat content f.o.b. Rock Island, Illinois, as follows:

(a) Combine into one total the values computed pursuant to § 1063.70 for all handlers who made the reports prescribed in § 1063.30 for such month, except those in default of payments required pursuant to § 1063.84 for the preceding month;

(b) Add or subtract for each one-tenth percent that the average butterfat content of producer milk represented by the values included under paragraph (a) of this section is less or more, respectively, than 3.5 percent, an amount computed by multiplying such differences by the butterfat differential to producers, and multiplying the result by the total hundredweight of producer milk;

(c) Add an amount equal to the sum of the location differential deductions to be made pursuant to § 1063.82; and

(d) Add an amount equal to one-half of the unobligated cash balance in the producer-settlement fund.

§ 1063.72 Computation of uniform price.

For each month, the market administrator shall compute a uniform price for producer milk of 3.5 percent butterfat content f.o.b. Rock Island, Illinois, as follows:

(a) Divide the aggregate value computed pursuant to § 1063.71 by the total hundredweight of producer milk included in such computations; and

(b) Subtract not less than 4 cents nor more than 5 cents from the price computed pursuant to paragraph (a) of this section. The resulting figure shall be the uniform price for producer milk.

§ 1063.73 Computation of uniform price for base milk and excess milk.

For each of the months of March through June, the market administrator shall compute the uniform prices per hundredweight for base milk and for excess milk, each of 3.5 percent butterfat content f.o.b. Rock Island, Illinois, as follows:

(a) From the reports submitted by handlers pursuant to § 1063.30 determine the aggregate classification of producer milk included in the computation of value pursuant to § 1063.71 and the total hundredweight of such milk that is base milk and that is excess milk;

(b) Determine the value of such excess milk on a 3.5 percent butterfat basis by multiplying the total hundredweight of such milk not in excess of the total Class II milk pursuant to paragraph (a) of this section by the Class II milk price and adding thereto the value of any remaining excess milk at the Class I milk price;

(c) Divide the value of excess milk obtained in paragraph (b) of this section by the total hundredweight of such milk. The resulting figure, rounded to the nearest cent, shall be the uniform price for excess milk;

(d) Subtract the value of excess milk pursuant to paragraph (c) of this section from the aggregate value of all milk obtained in § 1063.71; and

(e) Divide the amount obtained in paragraph (d) of this section by the total hundredweight of base milk obtained in paragraph (a) of this section, and subtract not less than 4 cents nor more than 5 cents from the price thus computed. The resulting figure shall be the uniform price for base milk.

7. Section 1063.80(a) is revised to read as follows:

§ 1063.80 Time and method of payment for producer milk.

(a) On or before the 17th day after the end of each month during which the milk was received, to each producer for milk received from him and for which payment is not made pursuant to paragraph (b) of this section, at not less than the uniform price pursuant to § 1063.72 for milk received each of the months of July through February and at not less than the applicable base and excess prices pursuant to § 1063.73, for milk received each of the months of March through June, subject to the butterfat differential computed pursuant to § 1063.81 and less location differential deductions pursuant to § 1063.82.

8. Section 1063.82 is revised to read as follows:

§ 1063.82 Location differentials to producers.

In making payment pursuant to § 1063.80 the uniform prices pursuant to §§ 1063.72 and 1063.73 for milk which is received from producers at pool plants in Dubuque and Jackson Counties, Iowa, and East Dubuque, Illinois, shall be reduced 10 cents and for milk which is received from producers at pool plants outside the marketing area and 70 miles or more from the City Hall, Rock Island,

Illinois, by the shortest hard-surfaced highway distance as determined by the market administrator shall be reduced at the rate set forth in the following schedule according to the location of the pool plant where such milk is received from producers:

Distance from the Rock Island City Hall (miles)	Rate per hundredweight (cents)
70 but less than 80.....	10.0
For each additional 10 miles or fraction thereof an additional....	1.5

[F.R. Doc. 63-7514; Filed, July 16, 1963;
9:01 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 32]

LAKE ISOM NATIONAL WILDLIFE REFUGE, TENNESSEE

Proposed Hunting of Upland Game

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), it is proposed to amend 50 CFR 32.21 as set forth below.

The purpose of this amendment is to provide for public hunting of upland game species on the Lake Isom National Wildlife Refuge, Tennessee. Hunting of squirrels and raccoons on this area may be permitted without interference with the primary objective of the refuge and the regulated control of these species is considered to be a necessary management measure to preserve the proper balance of wildlife and habitat.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 32.21 is amended by the addition of the following area as one where the hunting of upland game is authorized:

§ 32.21 List of open areas; upland game.

TENNESSEE

Lake Isom National Wildlife Refuge.

FRANK P. BRIGGS,
Secretary of the Interior.

JULY 11, 1963.

[F.R. Doc. 63-7472; Filed, July 16, 1963;
8:49 a.m.]

No. 138—4

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-EA-29]

FEDERAL AIRWAYS, ASSOCIATED CONTROL AREAS, AND CONTROL AREA EXTENSION

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

VOR Federal airway No. 431 is designated from Cambridge, N.Y., to Plattsburgh, N.Y. VOR Federal airway No. 489 is designated in part from Clermont, N.Y., to Albany, N.Y. The Plattsburgh control area extension is bounded in part by Victor 431.

The Federal Aviation Agency is considering the following actions:

1. Redesignate Victor 431 and its associated control areas from Cambridge via Glens Falls, N.Y.; to the intersection of Glens Falls 286° and Albany 343° True radials (Direct radial of Victor 203 between Albany and Massena, N.Y.).

2. Extend Victor 489 and its associated control areas from Albany via Glens Falls to Plattsburgh.

3. Substitute Victor 489 for Victor 431 in the description of the Plattsburgh control area extension.

The realignment and extension of Victor 431 westward from Glens Falls to Victor 203 would provide a shorter route via airways between Glens Falls and Massena. The extension of Victor 489 northward to Plattsburgh would merely renumber existing airways between these points. The substitution of Victor 489 for Victor 431 in the description of the Plattsburgh control area extension would be only an editorial change and would not result in the assignment or reassignment of controlled airspace.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice

may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 10, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7461; Filed, July 16, 1963;
8:47 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-SW-45]

TRANSITION AREA

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Culberson, Tex., transition area is designated as that airspace extending upward from 1,200 feet above the surface within 12 miles north and 7 miles south of the Culberson VOR 089° and 269° True radials, extending from 20 miles west to 9 miles east of the VOR, and within 10 miles southwest and 7 miles northeast of the Culberson VOR 117° and 297° True radials, extending from 20 miles southeast to 9 miles northwest of the VOR. The Federal Aviation Agency is considering redesignating this transition area as that airspace extending upward from 1,200 feet above the surface within 10 miles northeast and 7 miles southwest of the Culberson VOR 117° and 297° True radials extending from 9 miles northwest to 20 miles southeast of the VOR; and within 10 miles south and 7 miles north of the Culberson VOR 269° and 089° True radials extending from 9 miles east to 20 miles west of the VOR.

This altered transition area would provide protection for aircraft en route to and from the El Paso, Tex., area when required to exercise revised holding pattern procedures at the Culberson VOR.

The floor of the airways that traverse the transition area proposed herein would automatically coincide with the floor of the transition area. Communications service within the proposed transition area would be furnished by the El Paso Air Route Traffic Control Center's remote air/ground communications site at latitude 31°48'27" N., longitude 105°18'00" W.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assist-

ant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 10, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7462; Filed, July 16, 1963; 8:47 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-SW-49]

FEDERAL AIRWAY SEGMENTS, ASSOCIATED CONTROL AREAS, AND CONTROL AREA EXTENSION

Proposed Revocation and Alteration

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Parts 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

VOR Federal airway No. 211 is designated from Cotulla, Tex., to Fort Stockton, Tex. The latest FAA IFR peak day airway traffic survey for this airway shows a maximum of two aircraft movements for any two segments. VOR Federal airway No. 77 is designated in part

from Cotulla to San Angelo, Tex., and is codesignated with VOR Federal airway No. 68 between Junction, Tex., and San Angelo. The latest FAA IFR peak day airway traffic survey for the segment of this airway between Cotulla and Junction shows a maximum of three aircraft movements. Victor 68 north alternate is designated in part from Junction to San Angelo. The latest FAA IFR peak day airway traffic survey for this airway segment shows no aircraft movements.

Because of the extremely low volume of traffic on these airway segments and the fact that traffic between Junction and San Angelo is served by Victor 68, it appears that the airway segments proposed for revocation herein can no longer be justified as assignments of airspace. Accordingly, the FAA is considering the following actions:

1. Revocation of Victor 211 and its associated control areas.
2. Revocation of the segment of Victor 77 and its associated control areas from Cotulla to San Angelo.
3. Revocation of Victor 68 north alternate and its associated control areas from Junction to San Angelo.

The Cotulla control area extension is bounded in part by Victor 77. Concurrently with the revocation of the segment of Victor 77 as proposed herein, the Cotulla VOR 344° True radial would be substituted for Victor 77 in the description of the control area extension. This change would be editorial in nature and involve no change in assigned airspace.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 10, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7463; Filed, July 16, 1963; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 71-78]

[Docket No. 3666; Notice No. 58]

EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Regulations for Transportation

At a session of the Interstate Commerce Commission, Safety and Service Board No. 2, held in Washington, D.C. on the 12th day of July A.D. 1963.

Upon consideration of the record in the above-entitled proceeding and request of the Association of American Railroads for an extension of time within which to file statements in response to the notice of rule making dated April 1, 1963; and good cause appearing therefor:

It is ordered, That the time within which such statements may be filed be, and is hereby, extended to September 12, 1963.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, Washington, D.C. and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission, Safety and Service Board No. 2.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-7483; Filed, July 16, 1963; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[AA 643.3-J]

STEEL REINFORCING BARS FROM CANADA

Purchase Price; Foreign Market Value

JULY 11, 1963.

Pursuant to section 201(b) of the Anti-dumping Act, 1921, as amended (19 U.S.C. 160(b)), notice is hereby given that there is reason to believe or suspect, from information presented to me, that the purchase price of steel reinforcing bars imported from Canada is less or likely to be less than the foreign market value as defined by sections 203 and 205, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162 and 164).

Customs officers are being authorized to withhold appraisement of entries of steel reinforcing bars from Canada pursuant to § 14.9 of the Customs Regulations (19 CFR 14.9).

The complaint in this case was made by the Oregon Steel Mills.

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

[F.R. Doc. 63-7490; Filed, July 16, 1963;
8:52 a.m.]

Office of the Secretary

[AA 643.3-H]

TITANIUM DIOXIDE FROM FINLAND

Fair Value Determination

JULY 10, 1963.

A complaint was received that titanium dioxide from Finland was being sold in the United States at less than fair value within the meaning of the Antidumping Act of 1921.

I hereby determine that titanium dioxide from Finland is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. The quantity of titanium dioxide sold for home consumption was inadequate to form a basis for a fair value comparison. Sales to third countries were adequate to form a basis for fair value comparison. All sales for exportation to the United States were outright transactions; there are no relationships within the meaning of section 207 of the Antidumping Act between the seller and the purchasers in the United States. Accordingly, the appropriate comparison for fair value purposes is between purchase price and adjusted third country price.

The purchase price was calculated by deducting ocean freight, marine insur-

ance, and inland freight charges from the c.i.f. United States port price, to arrive at an ex-factory, packed price.

Third country price was determined by computing a weighted average of the prices to various third countries. Third country sales were on a c.i.f. third country port or f.o.b. Finnish port basis. Deductions from such prices were made for inland freight, selling commission, and where applicable, ocean freight and marine insurance. Appropriate allowances were made for differences in credit interest, and where applicable, consular fees, to arrive at an ex-factory, packed price. Packing costs for export to the United States and for export to third countries did not differ.

Purchase price was found to be lower than adjusted third country price in some instances. However, the margins and the volume involved were deemed to be not more than insignificant. The seller has given assurances that future shipments will be priced to prevent a recurrence of margins.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] JAMES A. REED,
Assistant Secretary of
the Treasury.

[F.R. Doc. 63-7492; Filed, July 16, 1963;
8:53 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification No. N4-STA-63-2]

NEVADA

Small Tract Classification; Correction

In F.R. Doc. 63-6624, appearing on page 6514 of the issue for Tuesday, June 25, 1963, wherein it reads "T. 13 N., R. 63 E.," it should read "T. 16 N., R. 63 E."

Dated: July 9, 1963

DONALD I. BAILEY,
Acting Chief, Division of Lands
and Minerals Management.

[F.R. Doc. 63-7505; Filed, July 16, 1963;
8:56 a.m.]

Office of the Secretary

JOHN LAWRENCE McNEALEY

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 during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of July 5, 1963.

Dated: July 5, 1963.

JOHN L. McNEALEY.

[F.R. Doc. 63-7476; Filed, July 16, 1963;
8:49 a.m.]

CHARLES W. WATSON

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 during the past six months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of July 8, 1963.

Dated: July 8, 1963.

C. W. WATSON.

[F.R. Doc. 63-7477; Filed, July 16, 1963;
8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

COTTON UNDER 1962-CROP LOAN PROGRAM

Notice of Acquisition by CCC

Loans on cotton under Commodity Credit Corporation's 1962 Cotton Loan Program mature on July 31, 1963. Notice is hereby given that if the producer or a purchaser of his equity does not redeem any such cotton before the close of business on July 31, 1963, Commodity Credit Corporation will, pursuant to section 7 of the Loan Agreement covering such loan, elect to acquire title to such cotton at the close of business on July 31, 1963, and title thereto shall, without a sale thereof, vest in Commodity Credit Corporation at such time. Commodity Credit Corporation will not pay for any market value which such cotton may have in excess of the loan value of the cotton plus applicable charges and interest, as provided in section 7 of the Loan Agreement. If the warehouse receipts representing any such cotton are sent to a local bank at the request of the producer or a purchaser of his equity, the loan value of the cotton, plus charges and interest, must be paid at the local bank not later

than the close of business on July 31, 1963. Any repayment made by mail must be received by Commodity Credit Corporation or by the local bank not later than the close of business on July 31, 1963.

Notwithstanding the foregoing provisions, Commodity Credit Corporation does not elect to acquire any cotton with respect to which there is a basis for a claim against the producer under the terms of the Cotton Producer's Note, and in such instance title to the cotton shall not so vest in Commodity Credit Corporation.

Date of signature: July 12, 1963.

Effective date of authority: Date of signature.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 63-7521; Filed, July 16, 1963;
9:02 a.m.]

Office of the Secretary ARKANSAS

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in Boone County, Arkansas, a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after June 30, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 12th day of July 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-7522; Filed, July 16, 1963;
9:02 a.m.]

MISSISSIPPI

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Mississippi natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSISSIPPI

Greene.	Perry.
Harrison.	Scott.
Jefferson.	Warren.
Jefferson Davis.	Wayne.
Pearl River.	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C. this 11th day of July 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-7523; Filed, July 16, 1963;
9:02 a.m.]

MISSISSIPPI AND TEXAS

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the States of Mississippi and Texas natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSISSIPPI

Amite.

Franklin.

TEXAS

DeWitt.
Kleberg.

Nueces.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 11th day of July 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-7524; Filed, July 16, 1963;
9:02 a.m.]

WYOMING

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Wyoming natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

WYOMING

Fremont.

Goshen.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can

qualify under established policies and procedures.

Done at Washington, D.C., this 11th day of July 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-7525; Filed, July 16, 1963;
9:02 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File 23-674]

S. R. TIPPETT & CO., LTD.

Order Terminating Indefinite Denial Order

An order was entered against S. R. Tippet & Co., Ltd., 110 Cannon Street, London E. C. 4, England, on October 21, 1961 (26 F.R. 11097, November 25, 1961), denying it for an indefinite period, all privileges of participating in exportations from the United States because of its failure to answer interrogatories duly served in accordance with § 382.15 of the Export Regulations (15 CFR Ch. III, Subchapter B) and not having given adequate reasons for its failure to answer. Good cause having now been shown that this order should no longer be maintained in effect:

It is ordered, That the said order of October 21, 1961 be and the same is hereby terminated.

Dated: July 10, 1963.

FORREST D. HOCKERSMITH,
Director,
Office of Export Control.

[F.R. Doc. 63-7440; Filed, July 16, 1963;
8:45 a.m.]

Office of the Secretary

[Dept. Order No. 134 (Rev.)]

ASSISTANT SECRETARY FOR ADMINISTRATION

Delegation of Authority et al.

The following order was issued by the Secretary of Commerce effective July 1, 1963. This material supersedes the material appearing at 28 F.R. 1313 of February 9, 1963.

SECTION 1. Purpose. The purpose of this order is to delegate authority to the Assistant Secretary of Commerce for Administration, prescribe his duties and responsibilities and prescribe the organization of the Office of the Assistant Secretary of Commerce for Administration.

SEC. 2. Administrative designation. The position of Assistant Secretary of Commerce established by Section 304 of Public Law 83-471 of July 2, 1954 (5 U.S.C. 592a-3) is designated as the Assistant Secretary of Commerce for Administration.

SEC. 3. Delegation of authority.

.01 Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 5 of 1950 and subject

to such policies and directives as the Secretary of Commerce may prescribe, the Assistant Secretary for Administration is hereby authorized to perform the functions and to exercise the authority of the Secretary of Commerce on all matters of administration and management within the Department of Commerce.

.02 The Assistant Secretary for Administration may redelegate his authority to any officer or employee of the Department of Commerce subject to the conditions in the exercise of such authority as he may prescribe.

SEC. 4. *Organization of Office of Assistant Secretary of Commerce for Administration.* The Office of the Assistant Secretary of Commerce for Administration shall comprise:

1 Immediate Office of the Assistant Secretary of Commerce for Administration:

Assistant Secretary of Commerce for Administration,
Deputy Assistant Secretary of Commerce for Administration.

2 Staff Service Offices:

Office of Administrative Services,
Office of Audits,
Office of Budget and Finance,
Office of Emergency Readiness,
Office of Investigations and Security,
Office of Management and Organization,
Office of Personnel,
Office of Publications.

3 Other Offices:

The United States Commission—New York World's Fair established by Department Order No. 180.

The Appeals Board for the Department of Commerce established by Department Order No. 106 (for Administrative Services only).

SEC. 5. *Duties and responsibilities of the Assistant Secretary of Commerce for Administration.*

.01 The Assistant Secretary for Administration shall be the principal adviser to the Secretary of Commerce on all matters of administration and management and shall be the chief officer of the Department on such matters.

.02 The Deputy Assistant Secretary of Commerce for Administration shall be the principal assistant to the Assistant Secretary for Administration and shall perform the functions of the Assistant Secretary during the latter's absence.

.03 The Assistant Secretary for Administration shall:

1 Prescribe the Department's policies, regulations, and programs with respect to all administrative and management activities and shall direct their execution;

2 Develop and issue Organization and Function Supplements re delegating authority to, and prescribing the internal organization and assignment of functions within, each staff service office;

3 Direct and supervise the staff service offices engaged in activities which include but are not limited to budget planning and administration; management planning and evaluation; organization planning; policy development; personnel administration; audits; administrative operations and services; publications;

security and investigations; and continuity of Government and civil defense;

4 Provide central liaison on all budgetary matters, including liaison with the Bureau of the Budget, the Appropriations Committees, and other agencies;

5 Establish policy and prescribe a basic system of administrative control of all funds for the Department;

6 Exercise policy direction and general supervision over the United States Commission—New York World's Fair;

7 Provide administrative services to the Appeals Board;

8 In collaboration with other Secretarial officers and officers of the primary organization units of the Department, define the basic objectives, programs, functions, relationships, and plans of organization of the Department;

9 Develop and provide for the execution of (1) plans to insure continuity of essential functions of the Department in time of emergency, and (2) civil defense plans and programs covering facilities and self-protection, and civil defense assistance;

10 Direct the evaluation of the Department's programs and activities with a view to improving management and effecting economies in operations;

11 Direct all activities of the Department relating to interdepartmental coordination of administrative and management matters;

12 Serve as the representative of and, upon designation, as the alternate to the Secretary of Commerce on all committees, boards, commissions, services, and organizations constituted with authority or responsibilities in the fields of administration and management; and

13 Carry out such other duties and responsibilities as the Secretary of Commerce may assign.

SEC. 6. *Saving provisions.*

.01 Reference in other orders to the title "Assistant Secretary of Commerce for Administration and Public Affairs" or "Executive Assistant to the Secretary" shall be construed to mean Assistant Secretary of Commerce for Administration.

.02 All orders, delegations of authority and other actions heretofore issued or taken by the Assistant Secretary of Commerce for Administration and Public Affairs, Executive Assistant to the Secretary, or Assistant Secretary of Commerce for Administration and in effect immediately prior to the effective date of this order shall remain in full force and effect until hereafter amended or revoked under appropriate authority.

.03 The organization titles of the staff service offices in the Organization and Function Supplements to Department Order No. 134 (Revised) and any reference to the former organization titles of staff service offices appearing in other orders are changed to accord with section 4 2 of this order.

Effective date: July 1, 1963.

HERBERT W. KLOTZ,
Assistant Secretary for
Administration.

[F.R. Doc. 63-7459; Filed, July 16, 1963; 8:45 a.m.]

[Dept. Order No. 27 (Rev.)]

UNDER SECRETARY OF COMMERCE

Duties and Responsibilities

The following order was issued by the Secretary of Commerce on July 1, 1963.

SECTION 1. *Purpose.* The purpose of this order is to describe the duties and responsibilities of the Under Secretary of Commerce, which position was established by the Act of June 5, 1939 (53 Stat. 808; 5 U.S.C. 591a).

Sec. 2. *Duties and Responsibilities.*

.01 The Under Secretary of Commerce, as provided by law, shall perform the duties of the Secretary of Commerce as Acting Secretary:

1. In case of the absence or sickness of the Secretary; and

2. Until a successor is appointed, in case of the vacancy of the position of Secretary.

.02 The Under Secretary shall serve as the principal deputy to the Secretary in all matters affecting the Department of Commerce and shall exercise general supervision over its several bureaus and offices. In addition, he shall perform such other duties as the Secretary of Commerce may assign.

Effective date: July 1, 1963.

HERBERT W. KLOTZ,
Assistant Secretary for
Administration.

[F.R. Doc. 63-7460; Filed, July 16, 1963; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration FERGUSON FUMIGANTS, INC.

Notice of Filing of Petition Regarding Food Additive

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 343 (b)(5)), notice is given that a petition (FAP 1006) has been filed by Ferguson Fumigants, Inc., Post Office Box 5868, Ferguson 35, Missouri, proposing the issuance of a regulation to provide for the safe use of a mixture consisting of 30 percent ethylene dibromide and 70 percent methyl bromide as a fumigant of the foods listed below, with residues of inorganic bromides in or on food not to exceed the specified limitations.

List of foods:	Residue limitations (parts per million)
Dried eggs.....	400
Oat flour.....	200
Parmesan cheese.....	400
Popped corn.....	240
Processed herbs and spices.....	400
Processed nuts.....	200
Roquefort cheese.....	400

Dated: July 11, 1963.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 63-7503; Filed, July 16, 1963; 8:56 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 13777; Order No. E-19798]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Adopted by Traffic Conferences Relating to Terminal Charges

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of July, 1963.

There has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA) held in Chandler, Arizona, during September-October 1962. The agreement has been assigned C.A.B. Agreement number 16870, R-131.

The agreement proposes several amendments to Resolution 512b (Terminal Charges) which are designed, for the most part, to eliminate certain ambiguities. In this connection the agreement defines assembly and disassembly services and makes clear that they are included under the terminology of terminal services for which a charge shall be imposed on the shipper or consignee, as applicable. An exception, however, would prohibit the carriers from providing to consolidators, whether or not a charge is made, assembly service or facilities, other than space on or in the vicinity of an airport, at full economical rental which was already so rented prior to October 1, 1962.¹

The above-noted exception raises a question of possible unjust discrimination. While the carriers have submitted no data in support of the exception here in question, the Board notes a similar provision was contained in the Consolidator Rules (Resolution 810c)² in connection with which comments were submitted in behalf of certain air freight forwarders and by U.S. flag carriers.³ The forwarders contended the restriction in question was unjustly discriminatory in favor of direct shippers and, with respect to facilities, commented that at many airports one or more airlines control all airport space and hence forwarders would be excluded from establishing airport offices or facilities. The carriers, in answer to the forwarders, contended the restriction was one among others designed to control carriers in their relations to forwarders and prevent rebates through any media.

The restriction, insofar as it would permit the carriers by agreement not to provide airport space to forwarders, would appear to place forwarders at a disadvantage in those instances where

airport space is controlled by the carriers. Assembly service, generally speaking, represents a normal function of forwarder activity without reliance upon the underlying carriers and, in this posture, the restriction against providing assembly service to forwarders would not, per se, appear to place an undue burden on the forwarders. Nevertheless, the Board has recognized that forwarders authorized to serve as indirect air carriers under Part 297 of its Economic Regulations have the status of shippers, and tariff requirements of the Act prohibit undue preference or prejudice among shippers. It may be that the availability of the services here in question creates a climate leading to abuses and unfair competitive practices among carriers which, in turn, could result in discrimination in favor of forwarders vis-a-vis other shippers. No information is available, however, as to difficulties encountered by the carriers leading to the adoption of the restriction as it relates to either assembly service or facilities, and there is no apparent basis for concluding it is not unjustly discriminatory against forwarders. In recognition of the fact that a provision has been in effect in the past in Traffic Conferences 2 and 3 intended to effect the same restriction, we will condition our approval so as to preclude its application to persons authorized by the Board pursuant to Part 297 to engage in air transportation as defined by the Act.

The Board, in Investigation of Accumulation, Assembly and Distribution Rules, 12 C.A.B. 337 (1950) (Order E-4606) found unlawful the offering of both assembly and disassembly service with respect to the same shipment in that it would constitute an unjust discrimination against shippers of single shipments, and prescribed model rules relating thereto. Petitions requesting modification with such model rules to permit both assembly and disassembly services with respect to the same shipment have been filed with the Board and the Board will be acting upon such applications in the immediate future. The instant agreement contains no proscription against both assembly and distribution services with respect to the same shipment as do the model rules; however, approval of this agreement should not be considered as a modification of the requirements of this order. Should the Board's action on such petitions indicate modification of this order of approval, we will of course review the order entered herein.⁴

Accordingly, acting pursuant to sections 102, 204(a) and 412 of the Act, the Board does not find the above-described

¹ United Air Lines, Inc. by a petition filed in Docket 14444 has requested the Board to modify the accumulation, assembly and distribution rules, Order E-4606. Subsequently other petitions for modification of the rules or pleadings in this matter have been filed by various air carriers.

² The carriers are required, of course, to provide in their applicable tariffs all of the rates and charges for and the provisions governing such terminal services which they undertake or hold out to perform in connection with air transportation. (14 CFR 221.38)

agreement to be adverse to the public interest or in violation of the Act, provided approval is subject to the condition hereinafter ordered.

Accordingly, it is ordered, That Agreement C.A.B. 16870, R-131, is approved, provided that the exception prohibiting carriers from providing assembly services or facilities to consolidators shall not be applicable as to persons authorized by the Board pursuant to Part 297 to engage in air freight forwarding in air transportation as defined by the Act.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-7504; Filed, July 16, 1963;
8:56 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14261; FCC 63-643]

CLAY SERVICE CORP.

Order Designating Application for Hearing on Stated Issues

In re application of Clay Service Corporation, Ashland, Alabama, requests 1500 kc, 500 w, day, Class II, Docket No. 14261, File No. BP-15449; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 10th day of July 1963;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the applicant is legally, technically, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing, that the applicant is owned and controlled by James L. Coley (President-Director, 20 percent); Charles H. Whatley (Vice President-Director, 20 percent); Sim S. Wilbanks (Secretary-Director, 20 percent); James W. Whatley (Treasurer-Director, 20 percent); and Julia C. Duncan (Director, 20 percent); and

It further appearing, that the above parties also own all of the stock of the licensees of Stations WETU and WNUZ, Wetumpka and Tallegeda, Alabama, respectively; that in addition, James L. Coley and his sister, Julia C. Duncan,

¹ A similar restriction has, in the past, been in effect in Traffic Conferences 2 and 3.

² Acted upon by the Board in Order E-19403.

³ Northwest Airlines, Inc., Pan American World Airways, Inc., and Trans World Airlines, Inc.

own a majority of the stock of the licensee of Station WRFS (AM and FM), Alexander City, Alabama; and

It further appearing, that Stations WETU, WNUZ, and WRFS are located approximately 55, 21 and 25 miles, respectively, from the proposed Ashland station and involve considerable overlap of service areas; that a grant of the instant proposal would result in common ownership of four standard broadcast stations within a relatively small area in Alabama; that thus, in addition to the overlap situation, a substantial question exists regarding the geographical concentration of the broadcast interests of the aforementioned parties; and that accordingly, in considering the Ashland proposal and § 3.35 of the rules, it appears appropriate to consider the size, extent and location of the areas served and to be served; the extent of the overlap involved; the number of persons residing within the overlap area; the classes of stations involved; the extent of other competitive service to the areas in question; the extent to which the stations will rely on the same revenues and program sources; the nature of the programming that the stations will present with particular reference to the needs of the communities they are designated to serve; the advertising practices of the stations; the source of program material and talent for each station; and such other facts as will tend to demonstrate that the overlap and/or concentration of control involved will or will not be in contravention of § 3.35 of the Commission's rules; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposal of the Clay Service Corporation and the availability of other primary service to such areas and populations.

2. To determine whether a grant of the proposal of the Clay Service Corporation would be in contravention of the provisions of § 3.35 (a) of the Commission rules with respect to multiple ownership of standard broadcast stations.

3. To determine whether a grant of the proposal of the Clay Service Corporation would be in contravention of § 3.35 (b) of the Commission rules with respect to concentration of control.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That, in the event of a grant of the application of the Clay Service Corporation, the construc-

tion permit shall contain the following condition:

Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(h) of the rules.

Released: July 12, 1963.

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

[F.R. Doc. 63-7507; Filed, July 16, 1963;
8:58 a.m.]

[Docket No. 15120; FCC 63M-805]

STANLEY HELFMAN

Order Scheduling Hearing

In re application of Stanley Helfman, Fontana, California, Docket No. 15120, File No. BP-14972; for construction permit.

It is ordered, This 9th day of July 1963, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 3, 1963, in Washington, D.C.: And, it is further ordered, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., September 10, 1963.

Released: July 11, 1963.

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

[F.R. Doc. 63-7508; Filed, July 16, 1963;
8:58 a.m.]

[Docket No. 15121]

GUY A. MERRITT, III

Order To Show Cause

In the matter of Guy A. Merritt, III, Severna Park, Maryland, order to show cause why there should not be revoked the license for Radio Station 4W2864 in the Citizens Radio Station.

The Commission, by the Chief, Safety and Special Radio Services Bureau,

under delegated authority, having under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing, that, pursuant to § 1.76 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee at his address of record as follows:

Official Notice of Violation dated October 18, 1962, alleging violation of § 19.61 (a) and (c) of the Commission's rules.

It further appearing, that said licensee did not reply to such communication or to a follow-up letter dated November 29, 1962, also mailed to the licensee at his address of record; and

It further appearing, that, in view of the foregoing, the licensee has repeatedly violated § 1.76 of the Commission's rules;

It is ordered, This 10th day of July 1963, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and § 0.291(b) (8) of Part 0 of the Commission's rules, that the said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this Order by Certified Mail—Return Receipt Requested to the said licensee at his last known address of R.F.D. 2, Box 681, Severna Park, Maryland.

Released: July 11, 1963.

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

[F.R. Doc. 63-7509; Filed, July 16, 1963;
8:58 a.m.]

[Docket No. 15118]

JAMES E. MICHAEL

Order To Show Cause

In the matter of James E. Michael, Rapid City, South Dakota, order to show cause why there should not be revoked the license for Radio Station WNØBLF in the Amateur Radio Service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing, that, pursuant to § 1.76 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee at his address of record as follows:

Official Notice of Violation dated April 2, 1963, alleging violation of § 12.91(f) of the Commission's rules.

It further appearing, that said licensee did not reply to such communication or to a follow-up letter dated July 1, 1963, also mailed to the licensee at his address of record; and

It further appearing, that, in view of of the foregoing, the licensee has repeatedly violated § 1.76 of the Commission's rules;

It is ordered, This 10th day of July 1963, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and § 0.291(b) (8) of Part 0 of the Commission's rules, that the said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this Order by Certified Mail—Return Receipt Requested to the said licensee at his last known address of 1613 Highland Street, Rapid City, South Dakota.

Released: July 11, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7510; Filed, July 16, 1963;
8:58 a.m.]

[Docket No. 15119; FCC 63M-806]

ALBERT JOHN WILLIAMS (KTYM)

Order Scheduling Hearing

In re application of Albert John Williams (KTYM), Inglewood, California, Docket No. 15119, File No. BMP-10155, for construction permit.

It is ordered, This 9th day of July 1963, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 3, 1963, in Washington, D.C.; *And it is further ordered*, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., September 10, 1963.

Released: July 11, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-7511; Filed, July 16, 1963;
8:58 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 1124]

AMERICAN STAR LINE, AMERICANA SHIPPING CORP.

Matter of Application for Membership; Order of Investigation

It appears that American Star Line, engaged in operating vessels regularly in the trade covered by the North Atlantic Westbound Freight Association, Agreement 5850, has applied for membership in that conference in accordance with the provisions of Agreement 5850 and that the member lines of the North Atlantic Westbound Freight Association have denied the application for membership on the grounds that American Star

Line is not a "shipowner". Agreement 5850 does not provide that membership be limited only to shipowners. Accordingly:

It is ordered, That, pursuant to sections 15 and 22 of the Shipping Act, 1916, an investigation is hereby instituted to determine whether the action of the North Atlantic Westbound Freight Association in denying membership to American Star Line has violated section 15 of the Act (1) by carrying out an agreement or modification thereto within the purview of section 15 prior to approval by the Commission, (2) by denying conference membership by imposition of unreasonable terms and conditions of admission; and (3) whether Agreement 5850 should be disapproved, cancelled or modified pursuant to section 15;

It is further ordered, That the North Atlantic Westbound Freight Association and the member lines thereof, as indicated in Appendix A below, be made respondents in this proceeding; and that this order be published in the FEDERAL REGISTER; and

It is further ordered, That this matter be assigned for hearing before an examiner of the Commission's Office of Hearing Examiners at a date and place to be hereafter determined and announced by the Chief Examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene herein, shall notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(n) (46 CFR § 201.74).

By the Commission, July 9, 1963.

[SEAL] THOMAS LISI,
Secretary.

NORTH ATLANTIC WESTBOUND FREIGHT
ASSOCIATION (5850)

MEMBER LINES

Anchor Line, Limited, Cunard Steamship Co., Ltd., 25 Broadway, New York 4, N.Y.
Armement Deppe S. A., Hansen & Tidemann Inc., 310 Sanlin Building, New Orleans, La.
Bristol City Line of Steamships, Ltd. (The), 1 Broadway, New York 4, N.Y.
Cunard Steamship Co., Ltd., 25 Broadway, New York 4, N.Y.
Furness, Withy & Co., Ltd., 34 Whitehall Street, New York 4, N.Y.
Hamburg-Amerika Linie (Hamburg America Line), United States Navigation Co., Inc., General Agents, 17 Battery Place, New York 4, N.Y.
Irish Shipping Ltd., Oceanic Agencies, 2 Broadway, New York 4, N.Y.
Manchester Liners, Ltd., Furness, Withy & Co., Ltd., 34 Whitehall Street, New York 4, N.Y.
Norddeutscher Lloyd, United States Navigation Co., Inc., General Agents, 17 Battery Place, New York 4, N.Y.
Ulster Steamship Company, Ltd. (Head Line and Lord Line), 10 Victoria Street, Belfast, Ireland.
United States Lines Company (United States Lines), 1 Broadway, New York 4, N.Y.
Isbrandtsen Steamship Company, 26 Broadway, New York 4, N.Y.

[F.R. Doc. 63-7493; Filed July 16, 1963;
8:53 a.m.]

U.S. ATLANTIC AND GULF/AUSTRALIA; NEW ZEALAND CONFERENCE

Order of Investigation and Hearing

The member lines of the U.S. Atlantic and Gulf/Australia-New Zealand Conference have filed a modification to their basic conference agreement (No. 6200) for approval pursuant to section 15 of the Shipping Act, 1916, which has been assigned Federal Maritime Commission Agreement Number 6200-6.

The modification would amend the conference voting procedures and enlarge the range of the trade encompassed by the basic conference agreement.

A/B Atlantrafik has protested approval of Agreement 6200-6 on the grounds that Agreement 6200, as amended above, may be violative of sections 15, 16 and 17 of the Shipping Act. A/B Atlantrafik is a Swedish corporation which since September 1960 has been operating a regular common carrier service to Australia and New Zealand from United States Atlantic ports, from ports in Canada, and during the navigation season from Great Lakes and St. Lawrence River ports (the area which the Conference seeks to add to its range). It has applied for, and has been denied, admission to the U.S. Atlantic and Gulf/Australia-New Zealand Conference. That matter now is in process of a hearing under Federal Maritime Commission Docket No. 1085.

The Caterpillar Tractor Company has protested the addition of the Great Lakes and St. Lawrence River areas into a conference already covering two major sea coasts of the United States, and most eastern Canadian ports, until there is established a reasonable number of sailings and dependability of service from the enlarged area, and until adequate justification is furnished the Commission.

The Commission has considered the protest of A/B Atlantrafik, and that of the Caterpillar Tractor Company and has determined that the statements contained therein raise serious issues of fact and law which warrant a full hearing.

Therefore, in order that a record may be developed upon which the Commission may determine whether to approve, disapprove or modify Agreement 6200-6 and in order that protestants A/B Atlantrafik and Caterpillar Tractor Company may be afforded an opportunity to publicly participate in the determination of whether Agreement 6200-6 should be approved, disapproved or modified:

It is ordered, That a hearing is hereby instituted pursuant to sections 15 and 22 of the Shipping Act, to determine whether Agreement 6200-6 should be approved, disapproved or modified;

It is further ordered, That the U.S. Atlantic and Gulf/Australia-New Zealand Conference and the member lines thereof as indicated in Appendix A below are hereby made respondents in this proceeding which shall be set for hearing before an Examiner of the Commission's Office of Hearing Examiners;

It is further ordered, That action with respect to Agreement 6200-6 be held in abeyance pending the Commissions' decision and order in this proceeding;

It is further ordered, That notice of this Order be published in the FEDERAL REGISTER, and that a copy of such Order be served upon respondents and upon protestants, A/B Atlanttrafik, and the Caterpillar Tractor Company;

It is further ordered, That any persons, other than respondents, who desire to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington 25, D.C., on or before July 25, 1963;

And it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission, July 9, 1963.

[SEAL] THOMAS LISI,
Secretary.

APPENDIX A

U.S. Atlantic and Gulf/Australia New Zealand Conference, M. E. Rough, Secretary, New York 6, N.Y.

American & Australian Steamship Line, c/o Norton, Lilly & Co., Inc., General Agents, 26 Beaver Street, New York 4, N.Y.

Port & Associated Lines, c/o Funch, Edye & Co., Inc., General Agents, 25 Broadway, New York 4, N.Y.

The Bank Line, Limited, c/o Boyd, Weir & Sewell, Inc., General Agents, 24 State Street, New York 4, N.Y.

United States Lines Company, 1 Broadway, New York 4, N.Y.

Hamburg - Sudamerikanische Dampfschiff-fahrts-Gesellschaft, Eggert & Amisnack (Columbus Line), c/o Columbus Line, 26 Broadway, New York 4, N.Y.

Montreal Australia New Zealand Line, Ltd., c/o Norton, Lilly & Co., Inc., General Agents, 26 Beaver Street, New York 4, N.Y.

[F.R. Doc. 63-7494; Filed, July 16, 1963; 8:54 a.m.]

[Docket No. 1126]

COMPANIA DE TRANSPORTES
CAL-AGRO, S.A.

Order of Investigation and Hearing

From information in the possession of the Commission it appears that Compania de Transportes Cal-Agro, S.A., operated in the United States Gulf-Central American trade, from January 1962 to June 1962, without having an effective freight tariff of rates on file with the Commission as required by section 18 (b) (1), Shipping Act, 1916 (46 U.S.C. 817).

It appears that the operation of Compania de Transportes Cal-Agro, S.A., may have been that of a common carrier in the foreign commerce of the United States within the meaning of section 1 of the Shipping Act, and that said carrier may be continuing to operate as a common carrier in the foreign commerce of the United States without having filed freight tariffs pursuant to section 18(b) (1), of the Shipping Act, 1916, as amended. Section 18(b) (1) provides that every common carrier by water in

the foreign commerce shall file with the Commission tariffs showing all the rates and charges for transportation to and from United States ports and foreign ports between all points on its own route and on any through route which has been established.

Therefore, it is ordered, Pursuant to sections 18(b) (1) and 22 of the Shipping Act, that an investigation and hearing is hereby instituted to determine whether Compania de Transportes Cal-Agro, S.A., is or has been operating as a common carrier in the foreign commerce of the United States without publishing and filing with the Commission a freight tariff naming the applicable rates and charges for such services as required by section 18(b) (1) of the Shipping Act, 1916, as amended.

It is further ordered, That Compania de Transportes Cal-Agro, S.A., be made respondent in this proceeding;

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon the respondent;

It is further ordered, That any person, other than respondent, who desires to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington 25, D.C., on or before July 25, 1963, with copy to respondent;

And it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By order of the Commission, June 25, 1963.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 63-7495; Filed, July 16, 1963; 8:54 a.m.]

DELTA STEAMSHIP LINES, INC., COM-
PAGNIE MARITIME BELGE, S.A.,
AND COMPAGNIE MARITIME CON-
GOLAISE, S.C.R.L., AND ARME-
MENT DEPPE' S.A.

Notice of Filing of Agreement

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

Agreement 9182-1, between Delta Steamship Lines, Inc., Compagnie Maritime Belge, S.A., and Compagnie Maritime Congolaise, S.C.R.L., as one party only, and Armement Deppe' S.A., amends Article 6 of an approved cooperative working arrangement (9182) between these same parties (1) to limit the authority of Delta Steamship Lines, Inc., as agent in the Gulf for the other parties, to provide husbanding services in lieu of booking cargo; and (2) to specifically provide that Delta Steamship Lines, Inc., shall not book cargo on behalf of the other parties.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: July 12, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-7496; Filed, July 16, 1963; 8:54 a.m.]

CITY OF ANCHORAGE, ALASKA AND
ALASKA FREIGHT LINES, INC.

Notice of Agreement Filed for
Approval

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

Agreement No. T-3 between The City of Anchorage, Alaska, and Alaska Freight Lines, Inc., is a cooperative working arrangement and preferential berthing assignment whereby AFL agrees (1) that all its cargo destined to Anchorage and/or other points on the railbelt beyond Anchorage will use City Dock facilities for five years and (2) to maintain a weekly schedule of sailings throughout the year except when such sailings may be interrupted by causes beyond its control. In return City agrees to make available to AFL berth or berths for its vessels for a period twelve (12) hours before and after the scheduled arrival time of each and every vessel.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

JULY 12, 1963.

[F.R. Doc. 63-7497; Filed, July 16, 1963; 8:54 a.m.]

NORTH ATLANTIC CONTINENTAL FREIGHT CONFERENCE AND CON- TINENTAL NORTH ATLANTIC WEST- BOUND FREIGHT CONFERENCE

Notice of Filing of Agreement

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

Agreement No. 9218, between the North Atlantic Continental Freight Conference (Agreement No. 4490) and Continental North Atlantic Westbound Freight Conference (Agreement No. 8210) imposes as a condition of admission to, or for continuance of membership in, their Conferences the requirement that any line offering services within the jurisdiction of both Conferences and seeking admission, or desiring continuance of membership in one, be a member of the other Conference.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: July 12, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-7498; Filed, July 16, 1963;
8:54 a.m.]

[Commission Order 201.1; Amdt. 2]

MANAGING DIRECTOR AND DEPUTY MANAGING DIRECTOR

Redelegation of Authorities

The purpose of this amendment is to conform the provisions of the basic order to the organizational component terminology established in Commission Order 1 (Amended) effective March 31, 1963.

Accordingly, the titles "Executive Director" and "Deputy Executive Director" as used in the basic order are hereby amended to read "Managing Director" and "Deputy Managing Director."

ELMER E. METZ,
Managing Director.

MAY 1, 1963.

[F.R. Doc. 63-7499; Filed, July 16, 1963;
8:56 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. CP62-83, CP63-352]

ARKANSAS LOUISIANA GAS CO.

Notice of Filing of Application With- drawal, and Cancellation of Hear- ing

JULY 10, 1963.

Arkansas Louisiana Gas Company (Applicant) filed an application in Docket No. CP62-83 on September 28, 1961, as amended November 8, 1961, pursuant to section 7(b) of the Natural Gas Act, seeking permission and approval to abandon certain natural gas facilities. Notice of the filing of this application, as amended, was issued on June 4, 1963, and published in the FEDERAL REGISTER on June 11, 1963 (28 F.R. 5695). This notice described the project as then proposed, fixed June 28, 1963, as the last day for filing protests or petitions to intervene, and scheduled the proceeding upon the application for formal hearing to commence on July 16, 1963. On June 24, 1963, Applicant filed a related application, in Docket No. CP63-352. This application, hereinafter described, effectively changes the aforesaid proposal in substantial and material respects. The hearing now scheduled to commence on July 16, 1963, is hereby cancelled and the proceeding in Docket No. CP62-83 made subject to such future disposition as may be appropriate under the circumstances.

By its application in Docket No. CP63-352, Applicant seeks various forms of relief and authority under the Natural Gas Act (Act) and the Commission's rules of practice and procedure (rules), all as hereinafter described and as more fully represented in the application which is on file with the Commission and open to public inspection.

One part of the instant application is filed pursuant to § 1.11(d) of the rules and consists of a notice of withdrawal of the application filed in Docket No. CP62-83. The remaining parts of the application are filed pursuant to sections 7 (c) and (b) of the Act and constitute, in effect, a planned general upgrading and reorganization of the facilities and operations of Applicant's Oklahoma-Kansas main pipeline system for the purpose of increasing the capability and efficiency of the system to render jurisdictional service.

More specifically, Applicant seeks authorization or permission and approval, as required by the Act, to:

(1) Construct and operate a new 2,400-hp. compressor station near Enid, Oklahoma, on its Oklahoma-Kansas main line system together with approximately 20.4 miles of new 12-inch pipeline extending in a northeasterly direction from said station to the "Hunter-Kremlin Junction" and a point of connection with the proposed 12-inch line described in (3) below.

(2) Construct and operate a new 12-inch pipeline river crossing on the Salt Fork River near Lamont, Oklahoma, as

a replacement for two existing 8-inch river crossings over said river and construct and operate approximately 2.2 miles of 12-inch pipeline as a replacement for an equal length of old 8-inch line extending in a northerly direction from the north end of the proposed 12-inch line described in (3) below to a point of connection with Applicant's 10-inch Line A-4 near the Armour-Webb Field.

(3) Operate approximately 23 miles of existing 12-inch line extending in a northeasterly direction from the "Hunter-Kremlin Junction" to a point of connection with the proposed 2.2 miles of 12-inch line referred to in (2) above together with connecting field laterals and gathering lines including approximately 55 miles of 4-, 6- and 8-inch supply laterals attached to the main line system, all as previously operated solely in intrastate commerce.

(4) Abandon its Twitty, Pitsch, Erick, Carpenter, Kellerville, Enid, and Eagle City Compressor Stations together with Compressor Units Nos. 1 through 10 of its Hunnewell Compressor Station, all of which are either of inefficient and obsolete design or are now idle or will no longer be required when operating pressures are increased on the new facilities.

(5) Abandon approximately 36 miles of 8-inch line extending from Enid to Deer Creek, Oklahoma, together with the 2.2 mile 8-inch portion of Line A-4, referred to in (2) above, none of which is necessary or capable of use in connection with Applicant's proposed 800-pound 12- and 10-inch pipeline facilities extending from its proposed Enid Compressor Station to its Hunnewell Station.

The estimated total cost of the aforesaid proposal is stated to be \$3,315,457, after giving effect to the salvage value of the facilities proposed to be abandoned, and will be financed by cash generated within the company and by short-term loans.

Protests or petitions to intervene in Docket No. CP63-352 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 August 5, 1963.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7467; Filed, July 16, 1963;
8:48 a.m.]

[Project No. 2361]

BLANDIN POWER CO.

Notice of Application for License

JULY 11, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Blandin Power Company (correspondence to: Myles W. Reif, Executive Vice President, Blandin Power Company, Grand Rapids, Minnesota) for license for constructed Project No. 2361, known as Prairie River Hydro-Electric Project, located on Prairie River in the vicinity of Grand Rapids, Itasca County, Minnesota.

The project consists of: a concrete gravity dam 17 feet high and 946 feet long, having a spillway section with three tainter gates and two stop log controlled sluices, and an emergency spillway section; (the entrance to the forebay is through a canal across which a trash rack is extended); headworks at the entrance to the flowline consisting of a trash rack and manually operated radial gates, a conduit 450 feet long and 10 feet in diameter of reinforced concrete pipe, and a surge tank; a concrete and masonry powerhouse containing two Jeffel vertical water turbine units rated 1000 horsepower and 550 horsepower connected to two generators of 700 kilowatts and 384 kilowatts, respectively; a 23/23 kilovolt transformer bank; and other mechanical and electrical facilities.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is September 9, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7468; Filed, July 16, 1963;
8:48 a.m.]

[Project No. 2366]

MAINE PUBLIC SERVICE CO.

Notice of Application for License

JULY 11, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Maine Public Service Company (correspondence to: R. A. Brown, Treasurer, P.O. Box 828, Presque Isle, Maine) for license for constructed Project No. 2366, known as the Millinocket Lake Dam, located on Millinocket Stream, in Piscataquis County, Maine.

The project consists of a rock-filled timber crib dam at the outlet of Millinocket Lake, 11 feet high and 228 feet long, and appurtenant facilities. The project serves as a storage reservoir for the Caribou Hydro Station and the Tinker Generating Station located in New Brunswick, Canada.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is September 9, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7469; Filed, July 16, 1963;
8:48 a.m.]

[Docket No. G-6067]

SUPERIOR OIL CO.

Notice of Motion To Amend

JUNE 18, 1963.

Take notice that on May 6, 1963, The Superior Oil Company (Movant) filed in Docket No. G-6067 a motion for modification of the certificate of public convenience and necessity heretofore issued in said docket to substitute heretofore undedicated acreage in the offshore Block 14 Field, Vermilion area, Louisiana, for presently dedicated acreage in the Block 71 and 149 Fields, West Cameron area, Louisiana, all as more fully set forth in the motion which is on file with the Commission and open to public inspection.

The subject motion will be processed as a motion to amend the order issuing the certificate to Movant to authorize the deletion and addition of acreage.

Movant states that the new leases consisting of 4,490 acres have approximately 500,000 MMcf of proven reserves as compared to the originally dedicated leases consisting of 37,500 acres with approximately 265,000 MMcf of proven reserves. Movant further states that during the unusually severe past winter season Movant experienced difficulty in supplying from its onshore fields the volumes contemplated and that the purchaser, American Louisiana Pipe Line Company (Am-La), was hard pressed to meet the increased demands of its customers during this period.

As further justification for the proposed amendment, Movant states that Am-La will not be required to construct any additional facility for taking and handling the additional gas supply which will be made available to it. The gas will be delivered to Am-La at the tailgate of Movant's Lowry Plant, which is the present point of delivery for all gas sold under the original contract.

Movant states that it will be benefited by the substitution of its leases covering the Block 14 Field for those covering its Blocks 71 and 149 for the reason that since 1960 gas sales have been made by other producers holding leases in the Block 14 Field which have resulted in drainage of gas from under Movant's leases. Movant has been unable to eliminate this drainage because it has been unable to negotiate a sale of gas underlying its leases in the Block 14 Field. The requested substitution will permit Movant to produce its leases and thus reduce drainage, the motion states.

Movant has tendered for filing its agreement with Am-La dated April 1, 1963, as a supplement to Movant's FPC Gas Rate Schedule No. 7. Sales are presently being made under the original contract at a rate of 21.75 cents per Mcf, inclusive of 1.75 cents per Mcf tax reimbursement.¹

¹ The present ceiling price set forth in the Statement of General Policy No. 61-1 (18 CFR 2.56) for the area in which the new leases are located is a total of 19.5 cents per Mcf.

Protests, requests for hearing, 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 on or before August 2, 1963.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7471; Filed, July 16, 1963;
8:48 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

ACTING REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION VII (PUERTO RICO AND VIRGIN ISLANDS)

Designation

The officers appointed to the following listed positions in Region VII (Puerto Rico and Virgin Islands), are hereby designated to serve as Acting Regional Director of Community Facilities, Region VII, during the absence of the Regional Director of Community Facilities with all the powers, functions, and duties re-delegated or assigned to the Regional Director of Community Facilities, Region VII, provided that no officer is authorized to serve as Acting Regional Director of Community Facilities unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Chief, Program Operations Staff.
2. Chief, Engineering Staff.

(Housing and Home Finance Administrator's delegation effective May 4, 1962 (27 F.R. 4319))

Effective as of the 17th of July 1963.

[SEAL] ELISEO G. FONT,
Regional Administrator,
Region VII.

[F.R. Doc. 63-7500; Filed, July 16, 1963;
8:56 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 262]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JULY 12, 1963.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1 (d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Com-

merce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

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

MOTOR CARRIERS OF PROPERTY

No. MC 3151 (Deviation No. 1), **BENDER & LOUDON MOTOR FREIGHT, INC.**, 3024 North Cleveland-Massillon Road, West Richfield, Ohio, filed June 24, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Toledo, Ohio, over U.S. Highway 23 to junction Interstate Highway 75; (B) from Toledo over Interstate Highway 75 to Midland, Mich.; (C) from Detroit, Mich., over Interstate Highway 94 to St. Joseph, Mich.; and (D) from Detroit over Interstate Highway 96 to Grand Rapids, Mich., thence over Interstate Highway 196 to Muskegon, Mich., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Toledo over U.S. Highway 24 to Detroit, Mich. (also from Toledo over U.S. Highway 25 to junction U.S. Highway 24, thence over U.S. Highway 24 to Detroit), thence over U.S. Highway 24 to Pontiac, Mich. (also from Detroit over U.S. Highway 10 to Pontiac), thence over U.S. Highway 10 to Flint, Mich., thence over U.S. Highway 10 to Saginaw, Mich., thence over U.S. Highway 23 to Bay City, Mich., thence over U.S. Highway 10 to Midland, Mich.; from Detroit over U.S. Highway 112 to Ypsilanti, Mich., thence over Michigan Highway 17 to Ann Arbor, Mich., thence over U.S. Highway 12 to St. Joseph, Mich.; from Detroit over U.S. Highway 16 to Lansing, Mich., thence over U.S. Highway 16 via Grand Rapids, Mich., to Grand Haven, Mich., thence over U.S. Highway 31 to Muskegon, Mich.; from Nunica, Mich., over U.S. Highway 16 to Muskegon; and return over the same routes.

No. MC 40858 (Deviation No. 19), **THE SILVER FLEET MOTOR EXPRESS, INC.**, Kingsport, Tenn., filed June 24, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Nashville, Tenn., over Interstate Highway 65 to Louisville, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Chattanooga, Tenn., over U.S. Highway 41 to Nashville, thence over U.S. Highway 31-W via Goodlettsville, Tenn., to Sellersburg, Ind., thence over U.S. Highway 31 to junction alter-

nate U.S. Highway 31, thence over alternate U.S. Highway 31 via Seymour, Ind., to junction U.S. Highway 31, thence over U.S. Highway 31 to junction Indiana Highway 431 to a point just south of Greenwood, Ind., thence over Indiana Highway 431 to Indianapolis, Ind., thence over U.S. Highway 52 to Kentland, Ind., thence over U.S. Highway 41 to Chicago, Ill., from Chattanooga over U.S. Highway 41 to Nashville, thence over U.S. Highway 31-E via Edonwood, Tenn., to Sellersburg, Ind., thence over U.S. Highway 31 to junction alternate U.S. Highway 31, thence over alternate U.S. Highway 31 via Seymour, Ind., to junction U.S. Highway 31, thence over U.S. Highway 31 to Franklin, Ind., thence over Indiana Highway 144 to Bargersville, Ind., thence over Indiana Highway 135 to Indianapolis, thence over U.S. Highway 52 to Lebanon, Ind., thence over Indiana Highway 39 to junction Indiana Highway 38, thence over Indiana Highway 38 to junction U.S. Highway 52 to Lafayette, Ind., and thence to Chicago as specified above, and return over the same routes.

No. MC 40858 (Deviation No. 20), **THE SILVER FLEET MOTOR EXPRESS, INC.**, Kingsport, Tenn., filed June 24, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over Interstate Highway 69 to Fort Wayne, Ind., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Indianapolis over U.S. Highway 36 to Anderson, Ind., thence over Indiana Highway 9 to Huntington, Ind., thence over U.S. Highway 24 to Fort Wayne, and return over the same route.

No. MC 40858 (Deviation No. 21), **THE SILVER FLEET MOTOR EXPRESS, INC.**, Kingsport, Tenn., filed June 24, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over Interstate Highway 74 to Cincinnati, Ohio, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Indianapolis over U.S. Highway 52 to Cincinnati, and return over the same route.

No. MC 59583 (Deviation No. 15), **THE MASON & DIXON LINES, INC.**, Kingsport, Tenn., filed June 24, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Atlanta, Ga., over Interstate Highway 85 to Petersburg, Va., thence over Interstate Highway 95 to New York, N.Y., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as

follows: From Atlanta over U.S. Highway 23 to junction U.S. Highway 123, thence over U.S. Highway 123 to Greenville, S.C., and thence over U.S. Highway 29 to Kings Mountain, N.C.; from High Point, N.C., over U.S. Highway 70 to Salisbury, N.C., thence over U.S. Highway 29 to junction alternate U.S. Highway 29 near China Grove, N.C., thence over Alternate U.S. Highway 29 via Concord, N.C., to junction U.S. Highway 29 near Charlotte, N.C., thence over U.S. Highway 29 to Kings Mountain, and thence over U.S. Highway 74 to Asheville, N.C.; from Greensboro, N.C., over U.S. Highway 29 to junction alternate U.S. Highway 29 near China Grove, thence over alternate U.S. Highway 29 via Concord, to junction U.S. Highway 29 near Charlotte, thence over U.S. Highway 21 to Rock Hill, S.C.; from Lynchburg, Va., over U.S. Highway 29 to Greensboro, thence over U.S. Highway 421 to Erwin, N.C.; from Lynchburg over U.S. Highway 29 to Washington, D.C.; from Winchester, Va., over U.S. Highway 50 to junction Virginia Highway 723, thence over Virginia Highway 723 via Boyce, Va., to junction U.S. Highway 50, thence over U.S. Highway 50 to Washington, D.C., thence over U.S. Highway 1 to New York, N.Y., and return over the same routes.

No. MC 59583 (Deviation No. 16), **THE MASON & DIXON LINES, INC.**, Kingsport, Tenn., filed June 25, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicles, of *general commodities*, with certain exceptions, over a deviation route as follows: From Nashville, Tenn., over Interstate Highway 40 to Kingston, Tenn., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Nashville over U.S. Highway 70N to Crossville, Tenn., and thence over U.S. Highway 70 to Knoxville, and return over the same route.

No. MC 59583 (Deviation No. 17), **THE MASON & DIXON LINES, INC.**, Kingsport, Tenn., filed June 26, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Roanoke, Va., over Interstate Highway 81 to junction Interstate Highway 77 at or near Wytheville, Va., thence over Interstate Highway 77 to Charlotte, N.C., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Roanoke over U.S. Highway 220 to Madison, N.C., thence over U.S. Highway 311 to Winston-Salem, N.C., and thence over U.S. Highway 52 to Lexington, N.C.; from Greensboro, N.C., over U.S. Highway 29 to junction alternate U.S. Highway 29 near China Grove, N.C., thence over alternate U.S. Highway 29 via Concord, N.C., to junction U.S. Highway 29 near Charlotte, N.C., thence over U.S. Highway 29 to Charlotte, thence over U.S.

Highway 21 to Rock Hill, S.C., and return over the same routes.

No. MC 59583 (Deviation No. 18), THE MASON & DIXON LINES, INC., Kingsport, Tenn., filed June 28, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Harrisburg, Pa., over Interstate Highway 81 to junction Interstate Highway 78, thence over Interstate Highway 78 to New York, N.Y., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Bristol, Tenn., over U.S. Highway 11 to Harrisburg, thence over U.S. Highway 22 to junction New Jersey Highway 28, thence over New Jersey Highway 28 to junction New Jersey Highway 439, thence over New Jersey Highway 439 to New York, and return over the same route.

No. MC 59583 (Deviation No. 19), THE MASON & DIXON LINES, INC., Kingsport, Tenn., filed June 28, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Harrisburg, Pa., over Interstate Highway 83 to junction Interstate Highway 80S, thence over Interstate Highway 80S to Philadelphia, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Harrisburg over U.S. Highway 422 to Philadelphia, and return over the same route.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-7485; Filed, July 16, 1963;
8:51 a.m.]

[Notice 545]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 12, 1963.

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 prehearing conferences will be called at 9:30 a.m., U.S. standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 30022 (Sub-No. 83), filed June 21, 1963. Applicant: PAUL S. CREBS, Ninth Street, Northumberland, Pa. Applicant's attorney: Richard V. Zug, 1418 Packard Building, Philadelphia 2, Pa.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *New furniture*, crated, from Mifflinburg, Lewisburg, Milton, Picture Rocks, and Hughesville, Pa., to St. Louis, Mo., and points in Maryland, Ohio, Rhode Island, Delaware, Illinois, Indiana, Michigan, Virginia, and West Virginia; (b) *new furniture*, crated, from Lewisburg, Pa., to points in Alabama, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; (c) *new furniture*, crated or uncrated, from Baltimore, Md., Providence, R.I., Wilmington, Del., Philadelphia, Pa., Chicago, Ill., Cleveland and Akron, Ohio, and points in Connecticut, Massachusetts, New York, New Jersey, and the District of Columbia, to points in Lyncoming, Union, Northumberland, and Montour Counties, Pa.; (d) *new furniture*, crated and uncrated, from St. Louis, Mo., and points in Maryland, Ohio, Rhode Island, Delaware, Illinois, Indiana, Michigan, Virginia, and West Virginia to Mifflinburg, Lewisburg, Milton, Picture Rocks, and Hughesville, Pa.; (e) *new furniture*, crated or uncrated, from points in Alabama, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee to Lewisburg, Pa.; (f) *display material used in displaying furniture*, between Lewisburg, Pa., on the one hand, and, on the other, points in Connecticut, Massachusetts, New York, New Jersey, Delaware, Maryland, Ohio, Rhode Island, Illinois, Indiana, Michigan, Virginia, West Virginia, Alabama, Georgia, Kentucky, Tennessee, North Carolina, South Carolina, and the District of Columbia. Restriction: Applicant states proposed transportation service in (c), (d), and (e) will be restricted to return shipments of damaged, shopworn, or rejected merchandise previously transported by applicant to the above-named points of origin.

HEARING: September 20, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner J. Thomas Schneider.

No. MC 30844 (Sub-No. 110), filed June 10, 1963. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Iowa City, Iowa, and Downers Grove, Ill., to Salisbury, Md.

HEARING: September 17, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo A. Riegel.

No. MC 30844 (Sub-No. 111), filed June 10, 1963. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, as described in Appendix I to the report in *Descriptions in Motor Car-*

rier Certificates, 61 M.C.C. 209 and 766, from Greeley, Colo., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia.

HEARING: September 19, 1963, at the New Customs House, Denver, Colo., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 30884 (Sub-No. 12), filed July 1, 1963. Applicant: JACK COOPER TRANSPORT COMPANY, INC., 3501 Manchester Trafficway, Kansas City 29, Mo. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New passenger automobiles and trucks*, in truckaway and driveaway service, from Salt Lake City, Utah, to points in Nevada.

NOTE: Applicant states proposed service will be restricted to those vehicles which have been manufactured by General Motors Corp., and which have had a prior movement by rail. It is further stated that proposed operation will be under contract with Chevrolet Motor Division, General Motors Corp. Common control may be involved.

HEARING: October 2, 1963, at the U.S. Courtrooms, Salt Lake City, Utah, before Joint Board No. 241, or, if the Joint Board waives its right to participate, before Examiner Lawrence A. Van Dyke, Jr.

No. MC 31208 (Sub-No. 6) (REPUBLIC), filed June 23, 1961, published FEDERAL REGISTER issue of July 6, 1961, and republished this issue. Applicant: H. T. RATCLIFF, 454 West Main Street, Abingdon, Va. By application filed June 23, 1961, as amended at the hearing, applicant seeks a certificate of public convenience and necessity authorizing operation in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of repossessed, and used trade-in trailers and semitrailers and parts and accessories therefor in secondary movement by truckaway method, from points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Pennsylvania, Ohio, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia to the plant site of the Black Diamond Trailer Company, Inc., at Bristol, Va. The application was referred to Examiner Allen W. Hagerty for hearing on April 24, 1963 at Bristol, Va. At the hearing, motion was made by applicant's counsel to amend the application to include used trailers traded in and moving from the States here in question to the shipper's plant at Bristol. No one appeared at the hearing in opposition to the application. A Report and Order, served June 10, 1963, which became effective July 1, 1963, finds that the present and future public convenience and necessity require operation by applicant as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes of repossessed and used trade-in trailers and

semitrailers and parts and accessories thereto in secondary movement by truckaway from points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Pennsylvania, Ohio, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia to the plant site of the Black Diamond Trailer Company, Inc., at Bristol, Va. The examiner further finds that applicant is fit, willing and able properly to conduct the above-described motor carrier operations and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that an appropriate certificate should be granted subject however, to the condition that issuance of such certificate will be withheld until 30 days after republication in the FEDERAL REGISTER of the description of the authority granted herein, during which time any interested party may file an appropriate pleading.

No. MC 42487 (Sub-No. 582), filed March 15, 1963. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: W. J. Hickey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid carbon dioxide*, in bulk, in specially equipped, pressurized, insulated tank vehicles, from Walden, Colo., and points within ten (10) miles thereof, to points in Montana, New Mexico, and Utah.

HEARING: September 20, 1963, at the New Customs House, Denver, Colo., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 49368 (Sub-No. 87), filed June 21, 1963. Applicant: COMPLETE AUTO TRANSIT, INC., 18544 West Eight Mile Road, Southfield, Mich. Applicant's attorney: Edmund M. Brady, Penobscot Building, Detroit 26, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles, bodies and parts thereof*, from the plant site of the General Motors Corporation located at Doraville, Ga., to points in Ohio and Indiana.

NOTE: Common control may be involved.

HEARING: September 26, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 69833 (Sub-No. 69), filed July 5, 1963. Applicant: ASSOCIATED TRUCK LINES, INC., 15 Andre Street SE., Grand Rapids, Mich. Applicant's attorneys: Ferdinand Born, Walter F. Jones, Jr., 1019 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Scrap metals*, in bulk, and *general commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk (not including scrap metals in bulk), commodities requiring special equipment and those injurious or contaminating to other

lading), serving the facilities of the New York Central Railroad, known as the Big Four Yards, located generally in the territory east of Indiana Highway 267, south of U.S. Highway 136 and north of U.S. Highway 40, in Hendricks County, Ind., as an off-route point, in connection with applicant's authorized regular route operations to and from Indianapolis, Ind., subject to the restriction that the commodities to be transported have had or will have an immediately prior or subsequent movement under the billing of the New York Central Railroad.

HEARING: September 9, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 72.

No. MC 75651 (Sub-No. 55) (CORRECTION), filed May 20, 1963, published in the FEDERAL REGISTER issue of July 3, 1963, republished as corrected this issue. Applicant: R. C. MOTOR LINES, INC., 2500 Laura Street, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Class A explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between Jacksonville, Fla., and St. Marys, Ga.: from Jacksonville, over U.S. Highway 17 to junction Georgia Highway 40, thence over Georgia Highway 40 to St. Marys, and return over the same routes serving all intermediate and off-route points located in Camden County, Ga.

NOTE: The purpose of this republication is to indicate that Class B explosives should not have been excepted in the commodity description, since applicant proposes to transport Class B explosives.

HEARING: Remains as assigned September 12, 1963, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or, if the Joint Board waives its right to participate, before Examiner Lyle C. Farmer.

No. MC 94265 (Sub-No. 114), filed June 19, 1963. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, 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: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766, and *butter, cheese, and frozen foods*, from points in Nebraska, to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, and the District of Columbia.

NOTE: Common control may be involved.

HEARING: September 19, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alton R. Smith.

No. MC 94265 (Sub-No. 116), filed June 19, 1963. Applicant: BONNEY

MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, 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: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766, from Greeley, Colo., to points in New York, New Jersey, Pennsylvania, Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, Virginia, West Virginia, North Carolina, and the District of Columbia.

NOTE: Common control may be involved.

HEARING: September 18, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Samuel C. Shoup.

No. MC 95540 (Sub-No. 491), filed December 27, 1962. Applicant: WATKINS MOTOR LINES, INC., Albany Road, Thomasville, Ga. Applicant's attorney: Richard A. Peterson, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts, dairy products and commodities distributed by meat packinghouses* as defined in Sections A, B, C, Appendix I of *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, and (2) *candy and confectionery items, food stuffs and frozen foods, and exempt commodities* when moving in the same vehicle with regulated commodities, from points in Colorado, to points in Arizona, California, New Mexico, and Nevada.

HEARING: September 25, 1963, at the New Customs House, Denver, Colo., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 95540 (Sub-No. 538), filed June 28, 1963. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and frozen foods*, from Wahoo, Nebr., to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and New Orleans, La. and Denver, Colo.

NOTE: Common control may be involved.

HEARING: September 4, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 107403 (Sub-No. 474), filed June 7, 1963. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Fairfax County, Va., to points in Maryland, Virginia, West Virginia, and the District of Columbia.

HEARING: September 16, 1963, at the Offices of the Interstate Commerce Com-

mission, Washington, D.C., before Examiner Hugh M. Nicholson.

No. MC 107403 (Sub-No. 475), filed June 10, 1963. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's representative: C. W. Zook (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Bedford County, Va., to points in the District of Columbia, Maryland, Virginia, and West Virginia.

NOTE: Common control may be involved.

HEARING: September 17, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William J. O'Brien, Jr.

No. MC 107403 (Sub-No. 478), filed June 24, 1963. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silicate of soda*, dry, in bulk, in tank or hopper type vehicles, from Skaneateles Falls, N.Y., to points in Michigan.

NOTE: Common control may be involved.

HEARING: September 10, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Charles B. Heinemann.

No. MC 107678 (Sub-No. 24) (CORRECTION), filed December 9, 1958, published FEDERAL REGISTER issue of June 19, 1963, and republished as corrected this issue. Applicant: HILL & HILL TRUCK LINE, INC., 13019 Sarah Lane, Post Office Box 9698, Houston, Tex. Applicant's attorney: Joe G. Fender, 1421 Melrose Building, Houston 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *General commodities, including commodities requiring special equipment*, but excluding commodities of unusual value, Class A and B explosives, household goods as defined by the Commission, and commodities in bulk, and (B) *commodities, the transportation of which, by reason of size or weight, requires the use of special equipment*, (1) between points in Alaska, and (2) between points in Alaska, on the one hand, and, on the other, points in Kansas, Louisiana, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming.

NOTE: The purpose of this republication is to add (1) above inadvertently omitted from previous publication.

HEARING: Remains as assigned July 25, 1963, at the Federal Office Building, Seattle, Wash., before Chief Hearing Examiner James C. Cheseldine.

No. MC 107871 (Sub-No. 23), filed July 5, 1963. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street West, Post Office Box 1012, Syracuse, N.Y. Applicant's attorney: Herbert M. Canter, 345 South Warren Street, Syracuse 2, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Chemicals, in bulk, in tank vehicles, from Niagara Falls and Buffalo, N.Y., to points in Connecticut, Massachusetts, and Rhode Island.

HEARING: August 1, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Hugh H. Nicholson.

No. MC 110525 (Sub-No. 583), filed June 12, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Louisville, Ky., to points in Minnesota, North Dakota, and South Dakota.

HEARING: September 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James O'D. Moran.

No. MC 110698 (Sub-No. 251), filed June 17, 1963. Applicant: RYDER TANK LINE, INC., Winston Salem Road (Post Office Box 457), Greensboro, N.C. Applicant's attorney: Francis W. McInerney, 1000 16th Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer and dry fertilizer materials and ingredients and dry chemicals*, in bulk, in tank and hopper vehicles, and *returned and rejected shipments*, between points in Chatham, Floyd, Fulton, and Polk Counties, Ga.; Brunswick, Durham, Forsyth, Guilford, Johnston, Lenoir, Martin, Mecklenburg, New Hanover, and Vance Counties, N.C.; Charleston, Chester, Darlington, Greenville, Richland, and Spartanburg Counties, S.C.; Greene, Hamilton, Knox, and Washington Counties, Tenn.; and Amherst, Campbell, Henrico, Nansemond, Norfolk, Pittsylvania, and Prince George Counties, Va., and Chesapeake City, Va., on the one hand, and, on the other, points in Georgia, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, and (2) *dry fertilizer*, in bulk, in tank and hopper vehicles, and *returned and rejected shipments*, between points in Georgia, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE: Common control may be involved.

HEARING: September 20, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Donald R. Sutherland.

No. MC 111231 (Sub-No. 53), filed June 28, 1963. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Applicant's attorney: John C. Bradley, Suite 618 Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Springdale, Ark., to points in Arkansas, Texas, and Oklahoma.

HEARING: September 17, 1963, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Joint Board No. 15, or, if the Joint

Board waives its right to participate before Examiner Joseph A. Reilly.

No. MC 111401 (Sub-No. 139), filed June 17, 1963. Applicant: GROEN-DYKE TRANSPORT, INC., Post Office Box 632, Enid, Okla. Applicant's attorney: William D. White, Jr., 2420 Republic National Bank Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in specialized tank vehicles, from Kings Mill, Tex., to points in Ohio (except Avon Lake, Ohio).

HEARING: September 18, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Donald R. Sutherland.

No. MC 111401 (Sub-No. 140), filed June 27, 1963. Applicant: GROEN-DYKE TRANSPORT, INC., Post Office Box 632, Enid, Okla. Applicant's attorney: William D. White, Jr., 2420 Republic National Bank Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum treating compounds*, in bulk, in specialized tank equipment, from Oklahoma City and Tulsa, Okla., including points within ten (10) miles thereof, to points in Alabama, Arizona, Arkansas, California, Colorado, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Mexico, South Dakota, Texas, Wyoming, and to Ports of Entry on the International Boundary line between the United States and Mexico, located at Brownsville and Hidalgo, Tex.

NOTE: Applicant states that this commodity is not a petroleum product, petrochemical or chemical.

HEARING: September 5, 1963, at the Federal Building, 200 Northwest Fourth, Oklahoma City, Okla., before Examiner Joseph A. Reilly.

No. MC 112223 (Sub-No. 64), filed July 1, 1963. Applicant: QUICKIE TRANSPORT COMPANY, a corporation, 501 11th Avenue South, Minneapolis 15, Minn. Applicant's attorney: Earl Hackling, 503 11th Avenue South, Minneapolis 4, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in bags and in packages, from points in Dakota, Hennepin and Ramsey Counties, Minn., to points in Iowa, Minnesota, North Dakota, South Dakota, Wisconsin, and the Upper Peninsula of Michigan, and *empty containers or other such incidental facilities* (not specified), used in transporting the above described commodity, on return.

HEARING: September 20, 1963, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Charles J. Murphy.

No. MC 112391 (Sub-No. 28), filed June 27, 1963. Applicant: HADLEY AUTO TRANSPORT, 7428 Paramount Boulevard, Post Office Box 96, Pico Rivera, 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 irreg-

ular routes, transporting: *Automobiles, trucks and farm-type tractors*, in secondary truckaway and driveway service, (1) from Denver, Colo., to points in Arizona, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Wyoming, and points in Texas on and north of U.S. Highway 66 and on and west of U.S. Highway 283, and (2) between points in Colorado, Arizona, New Mexico, and Utah.

NOTE: Applicant states that it proposes to transport *refused, rejected and damaged vehicles* having been previously transported, on return. Also, the proposed operation will be under continuing contract with Ford Motor Company and limited to vehicles and tractors having a prior movement by rail.

HEARING: September 25, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Armin G. Clement.

No. MC 112617 (Sub-No. 149), filed June 6, 1963. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Louisville, Ky., to points in Minnesota, North Dakota, and South Dakota.

HEARING: September 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James O'D. Moran.

No. MC 112696 (Sub-No. 18), filed June 20, 1963. Applicant: HARTMANS, INCORPORATED, Post Office Box 898, Harrisonburg, Va. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boxes*, from New Oxford, Pa., to Bridgewater, Dayton, Harrisonburg, Hinton, and Timberville, Va., (2) *frozen foods, poultry and poultry by-products*, in vehicles equipped with temperature-controlled devices, from Bridgewater, Va., to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Wisconsin, and points in Maine on the south

of Maine Highway 25, including Portland, Maine.

HEARING: September 23, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner John L. York.

No. MC 113651 (Sub-No. 57), filed June 13, 1963. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Applicant's attorneys: Mario Pieroni, 523 Johnson Building, Muncie, Ind., and Charles Singer, 33 North LaSalle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* (except commodities in bulk, in tank vehicles), as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from Iowa Falls and Denison, Iowa, to points in North Carolina, Missouri, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, Illinois, Texas, Tennessee, Kentucky, Indiana, Arkansas, and Oklahoma.

HEARING: September 24, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James Anton.

No. MC 113678 (Sub-No. 39), filed February 8, 1963. Applicant: CURTIS, INC., 770 East 51st Street, Denver 16, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, and *dairy products, frozen foods and food stuffs*, moving in vehicles equipped with mechanical refrigeration, and *exempt commodities*, from points in Colorado on and east of the Continental Divide, to points in New York and New Jersey (except New York City, N.Y., and points in its commercial zone).

HEARING: October 1, 1963, at the New Customs House, Denver, Colo., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 113678 (Sub-No. 40), filed February 17, 1963. Applicant: CURTIS, INC., 770 East 51st Street, Denver 16, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, *dairy products, frozen foods, food-stuffs* moving in vehicles equipped with mechanical refrigeration, and *exempt commodities*, from points in Colorado east of the Continental Divide, to points in Delaware, Kentucky, Massachusetts (except Boston, Mass., and points in its commercial zone), Maryland, New Hampshire, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

HEARING: September 16, 1963, at the New Customs House, Denver, Colo., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 113678 (Sub-No. 49), filed June 10, 1963. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food-stuffs* not requiring refrigeration, from points in Wicomico County, Md., and Sussex County, Del., to points in Colorado, Utah, Idaho, Wyoming, Montana, Washington, Oregon, California, New Mexico, Nevada, and Arizona.

NOTE: Common control may be involved.

HEARING: September 13, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

No. MC 114045 (Sub-No. 109), filed June 3, 1963. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, from points in Texas to points in Kansas.

HEARING: September 6, 1963, at the Baker Hotel, Dallas, Tex., before Joint Board No. 170, or, if the Joint Board waives its right to participate before Examiner Frank R. Saltzman.

No. MC 114045 (Sub-No. 110), filed June 3, 1963. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery products*, from Oklahoma City, Okla., to points in California, Oregon, and Washington.

HEARING: September 26, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Henry A. Cockrum.

No. MC 114045 (Sub-No. 111), filed June 14, 1963. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations and drugs*, from New York, N.Y., and Clifton and New Brunswick, N.J., to points in Texas.

HEARING: September 18, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Raymond V. Sar.

No. MC 114301 (Sub-No. 17), filed June 24, 1963. Applicant: DELAWARE EXPRESS CO., a corporation, Post Office Box 141, Elkton, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat scrap*, in bulk, in special blower type equipment, from Baltimore, Md., points in the Baltimore Commercial Zone, and points in Hartford County, Md., to points in Delaware, Maryland, Pennsylvania, Virginia, and Washington, D.C.

HEARING: September 25, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William J. Cave.

No. MC 114364 (Sub-No. 76), filed April 11, 1963. Applicant: WRIGHT

MOTOR LINES, INC., 16th and Elm Streets, Rocky Ford, Colo. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo., Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Soy bean meal*, in bags and in bulk, from Fredonia and Wichita, Kans., to points in Colorado and New Mexico. (B) *Oyster shells and calcium*, in bags, from Houston, Tex., and points within 25 miles thereof, to points in Colorado and those in Kansas on and west of U.S. Highway 183.

HEARING: September 27, 1963, at the New Customs House, Denver, Colo., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 114364 (Sub-No. 77), filed April 11, 1963. Applicant: WRIGHT MOTOR LINES, INC., 16th and Elm Streets, Rocky Ford, Colo. Applicant's attorney: Marion F. Jones, Suite 526, Denham Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cottonseed cake products*, from points in New Mexico, to points in Colorado, Wyoming, and Kansas, (2) *alfalfa meal and alfalfa pellets*, dehydrated and suncured, from points in Colorado, and those in Kansas on and west of U.S. Highway 183, to points in Arizona, and New Mexico, and (3) *safflower meal*, from points in Arizona, to points in Colorado.

NOTE: Common control may be involved.

HEARING: September 30, 1963, at the New Customs House, Denver, Colo., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 115331 (Sub-No. 51), filed June 30, 1963. Applicant: TRUCK TRANSPORT, INC., 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and phosphatic fertilizer solutions*, from Marseilles, Ill., and points within 5 miles thereof, to points in Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

HEARING: September 13, 1963, at the Palmer House, Chicago, Ill., before Examiner Charles J. Murphy.

No. MC 115491 (Sub-No. 37), filed June 14, 1963. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Auburndale, Fla. Applicant's attorney: M. Craig Massey, 223 South Florida Avenue (Post Office Box 586), Lakeland, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Powdered dry milk solids, flavored and unflavored, cream or milk, sterilized in hermetically sealed containers in boxes, dessert preparation (other than frozen), beverage preparations, dry dietary products, liquid, milk or cream substitute, dry or liquid, confectionary mixes, dry, prepared flour mixes, pancake mixes, and milk powder, dried, containing animal or vegetable fat and not exceeding 3% of other ingredients*, from Menomonee, Vesper, Astico, and Oconomowoc, Wis., to points in Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, and points in Louisiana east of the Missis-

sippi River, and *damaged and rejected shipments* of the specified commodities, on return.

HEARING: September 23, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Francis A. Welch.

No. MC 115841 (Sub-No. 136), filed June 19, 1963. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway, West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared food products*, from Baltimore, Md., and points in Atlantic, Camden, Cumberland, Gloucester, and Monmouth Counties, N.J., to points in Massachusetts, Tennessee, Birmingham, Ala., Little Rock, Ark., Chester and Hartford, Conn., Atlanta and Columbus, Ga., Louisville, Ky., New Orleans, La., Cleveland, Ohio, Providence, R.I., Burlington, Vt., and Charleston, W. Va.

NOTE: Applicant states that no duplication of authority is sought.

HEARING: September 23, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Richard A. White.

No. MC 116544 (Sub-No. 36), filed June 11, 1963. Applicant: WILSON BROTHERS TRUCK LINES, INC., 700 Fairview Avenue, Carthage, Mo., Applicant's attorneys: Harry Ross, Warner Building, Washington 4, D.C., and Robert R. Herndon, 4000 Tunlaw Road NW., Washington 7, D.C. Authority sought to operate as a *Common Carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas*; and (2) *coconuts and pineapples*, when transported in mixed shipments with bananas, from New Orleans, La., and Mobile, Ala., to Tulsa, Okla.

HEARING: September 16, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Dallas B. Russell.

No. MC 116858 (Sub-No. 5), filed June 20, 1963. Applicant: J. & M. LEASING CORP., 646 East 12th Street, New York, N.Y. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is distributed by a premium stamp redemption center in redemption of premium stamps, and in connection therewith, materials, supplies and equipment used in the conduct of such business*, from points in Middlesex, Union, Essex, Passaic, Bergen, and Hudson Counties, N.J., to Newark, N.J., and New York, N.Y., and *returned merchandise*, on return.

NOTE: Applicant states that the proposed operation will be under contract with Sperry & Hutchinson Co. Also, no duplicating authority is sought. Common control may be involved, MC-79142.

HEARING: September 25, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gordon M. Callow.

No. MC 117137 (Sub-No. 2) (AMENDMENT), filed December 19, 1958, pub-

lished in FEDERAL REGISTER issue June 19, 1963, amended July 8, 1963, and republished as amended this issue. Applicant: N. J. MATLOCK AND L. E. WHITTING, doing business as, ALASKA AUTO TRANSPORT, 500 Third Avenue, Hamilton Acres, Fairbanks, Alaska. Applicant's attorney: James T. Johnson, 609 Norton Building, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New and used motor vehicles*, in secondary movements, in truckaway service, (1) between points in Alaska and (2) between Anchorage, Alaska, and Seattle, Wash.

NOTE: The purpose of this republication is to add information to previously published commodity description, insert (2) in territorial description, show change of attorney's address and reflect new hearing information.

HEARING: July 31, 1963, at the Federal Building, Anchorage, Alaska, before Joint Board No. 415, or, if the Joint Board waives its right to participate before Chief Hearing Examiner James C. Cheseldine.

No. MC 117574 (Sub-No. 78), filed June 20, 1963. Applicant: DAILY EXPRESS, INC., Post Office Box 434, M.R. No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (not including highway tractors for hauling freight trailers), and (2) *tractor attachments and accessories*, from Louisville, Ky., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania, Virginia, District of Columbia, Ohio, and West Virginia.

HEARING: September 20, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner David Waters.

No. MC 123293 (Sub-No. 5), filed June 12, 1963. Applicant: FRY SALES AND EQUIPMENT CO., a corporation, Post Office Box 120, Mercersburg, Pa. Applicant's attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Crushed limestone*, in bulk, from points in Chester, Delaware, Montgomery, Bucks, and Philadelphia Counties, Pa., to points in Monmouth, Mercer, Ocean, Burlington, Gloucester, Salem, Cumberland, Cape May, Atlantic, and Camden Counties, N.J., points in Queen Anne, Kent, Cecil, and Harford Counties, Md., and points in New Castle, Kent, and Sussex Counties, Del., and (2) *sand and gravel*, in bulk, from points in Burlington County, N.J., to points in Philadelphia, Bucks, Montgomery, Lehigh, Berks, Delaware, and Chester Counties, Pa.

NOTE: All transportation to be performed under a continuing contract with Martin-Marietta Corporation (Fry Coal and Stone Division).

HEARING: September 20, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 125293, filed April 23, 1963. Applicant: ROBERT E. AHERN, doing

business as **INDUSTRIAL CONTRACT CARRIERS**, 1942 Westlake, Seattle, Wash. Applicant's attorney: George R. LaBissoniere, 333 Central Building, Seattle 4, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: (1) *Industrial chemicals*, in drums, cartons and bags, consisting of *acids*, *aluminum sulphate*, *sodium sulphate*, *soda ash*, *copper sulphate*, *plating compounds*, *detergents* and *filtering agents*, from points in California to points in Oregon, Washington, and Idaho. (2) *Metal products*, consisting of *aluminum* or *steel trim*, *perimeter pipe*, *furnace duct*, *gutter*, *downspout*, *garbage cans* and *pails*, from Portland, Oreg., to points in Washington, Idaho, Utah, and California. (3) *Used barrels and salvaged drums*, from points in Utah, Idaho, Nevada, Washington, and California to Portland, Oreg.

NOTE: Applicant states that (1) and (2) above will be under contract with Great Western Chemical Company and General Metalcraft Company only, and (3) will be under contract with Reimann and McKinney only.

HEARING: September 30, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Examiner Harold P. Boss.

No. MC 125321 (Sub-No. 1), filed June 28, 1963. Applicant: GRADY THOMPSON, Box 26, Blanding, Utah. Applicant's attorney: Mark K. Boyle, 345 South State Street, Salt Lake City 1, Utah. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Blanding, Utah, and Pagosa Springs, Colo., and points within (5) five miles of each, to points in Utah, Arizona, New Mexico, and Colorado.

HEARING: October 3, 1963, at the U.S. Courtrooms, Salt Lake City, Utah, before Examiner Lawrence A. Van Dyke, Jr.

No. MC 125430, filed June 5, 1963. Applicant: CLAUDE W. WAGNER, McHenry, Md. Applicant's attorney: W. Dwight Stover, Oakland, Md. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Foodstuffs* and *empty containers* or *other such incidental facilities* (not specified) used in transporting the above-specified commodities, between Belle Vernon, Pa., and Oakland, Md.; from Belle Vernon over Pennsylvania Alternate Highway 71, thence over U.S. Highway 51 to Uniontown, Pa., thence over U.S. Highway 40 to Keyser's Ridge, Md., thence over U.S. Highway 219 to Oakland, and return over the same route, serving no intermediate points.

HEARING: September 19, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Garland E. Taylor.

No. MC 125440, filed June 11, 1963. Applicant: JULES TISCHLER AND PAUL JOHNSON, doing business as, RARITAN MOTOR EXPRESS, 298 Lincoln Boulevard, Middlesex, N.J. Applicant's attorney: Leroy Danziger, 334 King Road, North Brunswick, N.J. Authority sought to operate as a *contract*

carrier, by motor vehicle, over irregular routes, transporting: *Steel tubing*, *steel pipe* and *steel tubular products*, from Maspeth, Long Island, N.Y., and Metuchen and Union, N.J., to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, the District of Columbia, Ohio, Michigan, Illinois, Massachusetts, and Connecticut, *returned and rejected shipments* of the commodities specified above, and *materials, supplies and equipment*, used in the manufacture of the same commodities, on return.

NOTE: The proposed service will be restricted to a service to be performed under a continuing contract, or contracts with Berger Tube Corporation, Maspeth, Long Island, N.Y., and its affiliated and subsidiary corporations or companies.

HEARING: September 13, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William A. Royall.

No. MC 125446, filed June 13, 1963. Applicant: COALBROOK SALES CO., INC., Rear Peck Avenue, Carbondale, Pa. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bags, and in bulk, from Carbondale, Pa., to points in Albany, Broome, Chenango, Columbia, Delaware, Dutchess, Greene, Nassau, Oneida, Onondaga, Orange, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Suffolk, Sullivan, Ulster, Warren, and Westchester Counties, N.Y., New York, N.Y., points in Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union Counties, N.J., and *rejected and damaged shipments*, on return.

NOTE: Applicant states the proposed service will be restricted to contract with De Angelis Supreme Anthracite, Inc., and its affiliates or subsidiaries.

HEARING: September 24, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Theodore M. Tahan.

MOTOR CARRIERS OF PASSENGERS

No. MC 70947 (Sub-No. 19), filed June 9, 1963. Applicant: MT. HOOD STAGES, INC. doing business as PACIFIC TRAILWAYS, 1068 Bond Street, Bend, Oreg. Applicant's attorney: Donald A. Schafer, 12321 Southeast Evergreen Highway, Vancouver, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, during the season from May 1 to October 31, inclusive of each year, in one way charter and special operations, between points upon its present regular routes in Oregon, Idaho, and Utah and points in California, Arizona, Nevada, and Texas.

NOTE: Applicant states the proposed operation will be to accommodate tour groups organized by travel bureaus and by applicant, which will travel either to or from California, Arizona, Nevada, and Texas by air.

HEARING: October 2, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Port-

land, Oreg., before Examiner Harold P. Boss.

No. MC 70947 (Sub-No. 20), filed June 9, 1963. Applicant: MT. HOOD STAGES, INC., doing business as PACIFIC TRAILWAYS, 1068 Bond Street, Bend, Oreg. Applicant's attorney: Donald A. Schafer, 12321 Southeast Evergreen Highway, Vancouver, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes in seasonal operations between May 1 and October 31, inclusive of each year, transporting: *Passengers and their baggage*, in one-way charter and special operations, between points on applicant's present regular routes in Oregon, Idaho, and Utah and points in Massachusetts, New York, and the District of Columbia.

NOTE: Applicant states the proposed operations are to accommodate tour groups, organized by travel bureaus and by applicant, which will travel either to or from Massachusetts, New York, and the District of Columbia by air.

HEARING: October 2, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Examiner Harold P. Boss.

No. MC 70947 (Sub-No. 21), filed June 9, 1963. Applicant: MT. HOOD STAGES, INC., doing business as PACIFIC TRAILWAYS, 1068 Bond Street, Bend, Oreg. Applicant's attorney: Donald A. Schafer, 12321 Southeast Evergreen Highway, Vancouver, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes in seasonal operations between May 1 and October 31 inclusive of each year, transporting: *Passengers and their baggage*, in one way charter and special operations, between points on applicant's present regular routes in Oregon, Idaho, and Utah and points in Alaska.

NOTE: Applicant states the proposed operations are to accommodate tour groups, organized by travel bureaus and by applicant, which will travel either to or from Alaska by air.

HEARING: October 2, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Examiner Harold P. Boss.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN HANDLED

MOTOR CARRIERS OF PROPERTY

No. MC 24379 (Sub-No. 29), filed June 26, 1963. Applicant: LONG TRANSPORTATION COMPANY, 3755 Central Avenue, Detroit, Mich. Applicant's attorney: A. David Millner, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and dangerous explosives, household goods as defined by *Practices of Motor Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Niagara Falls, on the one hand, and, on the other, New York, N.Y., from the

International Bridge located on the International Boundary line between the United States and Canada at Niagara Falls, over city streets to Interstate Highway 190 (New York Thruway extension), thence over Interstate Highway 190 to junction with Interstate Highway 90 (New York Thruway), thence over Interstate Highway 90 to junction of Interstate Highway 87 (New York Thruway), thence over Interstate Highway 87 to New York, N.Y., and return over the same routes, serving no intermediate points (except at Toll Gates 1 to 17 on Interstate Highway 87 (New York Thruway) solely for the purpose of permitting joinder to applicant's existing authority), (2) between Buffalo, N.Y., on the one hand, and, on the other, New York, N.Y., from the International Bridge located on the International Boundary line between the United States and Canada, at Buffalo, over city streets to Interstate Highway 190 (New York Thruway extension), thence over the above described routes to New York, N.Y., and return over the same routes, serving no intermediate points (except at Toll Gates 1 to 17 on Interstate Highway 87 (New York Thruway), solely for the purpose of permitting joinder to the carrier's existing authority).

NOTE: Applicant states the proposed authority herein will be restricted to traffic moving between points authorized to be served on the existing service routes in Illinois, Indiana, Michigan, and those in Ohio, west of or within 25 miles of Toledo, including Toledo on the one hand, and, on the other, points authorized to be served in New York, Connecticut, and New Jersey, and further restricted to traffic moving through the Province of Ontario, Canada, and subject to the further restriction that the authority herein granted and now held by carrier between the same points shall be construed as comprising a single operating right and shall not be severable by sale or otherwise from the authority now held.

No. MC 61440 (Sub-No. 87), filed June 28, 1963. Applicant: LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods, as defined by the Commission, commodities in bulk and those requiring special equipment), over the following alternate routes, for operating convenience only: (A) between Hooker, Okla., and junction Oklahoma Highways 94 and 3; from Hooker over Oklahoma Highway 94 to junction Oklahoma Highway 3, and return over the same route, serving no intermediate points, (B) between Turpin, Okla., and junction U.S. Highway 83 and Oklahoma Highway 3; from Turpin over U.S. Highway 83 to junction Oklahoma Highway 3, and return over the same route, serving no intermediate points, (C) between Buffalo, Okla., and junction U.S. Highway 270 and U.S. Highway 183; from Buffalo over U.S. Highway 183 to junction U.S. Highway 270 west of Fort Supply, Okla., and return over the same route, serving no intermediate points, (D) between Alva, Okla., and junction U.S. Highway 64

and Oklahoma Highway 34 north of Lovedale, Okla.; from Alva over U.S. Highway 64 to junction Oklahoma Highway 34 north of Lovedale, and return over the same route, serving no intermediate points, (E) between Woodward, Okla., and Orienta, Okla.; from Woodward over Oklahoma Highway 15 to Orienta and return over the same route, serving no intermediate points, (F) from junction U.S. Highway 60 and U.S. Highway 283 east of Arnett, Okla., to junction U.S. Highway 283 and Oklahoma Highway 33 north of Cheyenne, Okla.; from junction U.S. Highway 60 and U.S. Highway 283 east of Arnett, thence over U.S. Highway 283 to junction Oklahoma Highway 33, approximately 5 miles north of Cheyenne, and return over the same route, serving no intermediate points, (G) from junction U.S. Highway 60 and Oklahoma Highway 34 to Leedey, Okla.; from junction U.S. Highway 60 and Oklahoma Highway 34, thence over Oklahoma Highway 34 to Leedey, and return over the same route, serving no intermediate points, (H) from junction Oklahoma Highway 34 and U.S. Highway 60 east of Vici, Okla., to junction U.S. Highway 60 and U.S. Highway 183 west of Seiling, Okla.; from junction Oklahoma Highway 34 and U.S. Highway 60 east of Vici over U.S. Highway 60 to junction U.S. Highway 183 west of Seiling, and return over the same route, serving no intermediate points, (I) between Alva, Okla., and Seiling, Okla.; from Alva over U.S. Highway 281 to Seiling, and return over the same route, serving no intermediate points, (J) between Elk City, Okla., and Granite, Okla.; from Elk City over Oklahoma Highway 6 to Granite and return over the same route, serving the intersection of Oklahoma Highway 6 and Oklahoma Highway 152 for purpose of joinder only, (K) between Shattuck, Okla. and junction U.S. Highway 283 and U.S. Highway 270; from Shattuck over U.S. Highway 283 to junction U.S. Highway 270, and return over the same route, serving no intermediate points, (L) between junction U.S. Highway 81 and U.S. Highway 66 south of El Reno, Okla., and junction U.S. Highway 81 and Oklahoma Highway 152 east of Union City, Okla.; from junction U.S. Highway 81 and U.S. Highway 66 south of El Reno over U.S. Highway 81 to junction Oklahoma Highway 152 east of Union City, and return over the same route, serving no intermediate points, (M) between junction U.S. Highway 81 and Oklahoma Highway 152, 2 miles north of Minco, Okla., and junction U.S. Highway 81 and U.S. Highway 62, approximately 1 mile north of Chickasha, Okla.; from junction U.S. Highway 81 and Oklahoma Highway 152 2 miles north of Minco, over U.S. Highway 81 to junction U.S. Highway 62 north of Chickasha, and return over the same route, serving no intermediate points, (N) between Pauls Valley, Okla., and junction Oklahoma Highway 19 and U.S. Highway 81, 2 miles south of Chickasha; from Pauls Valley over Oklahoma Highway 19 to junction U.S. Highway 81, 2 miles south of Chickasha, and return over the same

route, serving no intermediate points, (O) between junction Oklahoma Highway 54 and Oklahoma Highway 152, 8 miles east of Cordell, Okla., and junction Oklahoma Highway 54 and U.S. Highway 62; from junction Oklahoma Highway 54 and Oklahoma Highway 152, 8 miles east of Cordell over Oklahoma Highway 54 to junction U.S. Highway 62, and return over the same route, serving the intersection of Oklahoma Highway 54 and Oklahoma Highway 9 for the purpose of joinder only, (P) between Blair, Okla., and junction Oklahoma Highway 19 and U.S. Highway 183 north of Roosevelt, Okla.; from Blair over Oklahoma Highway 19 to junction U.S. Highway 183, north of Roosevelt and return over the same route, serving no intermediate points, (Q) between Mangum, Okla., and junction Oklahoma Highway 34 and U.S. Highway 62 east of Duke, Okla.; from Mangum over Oklahoma Highway 34 to junction U.S. Highway 62 east of Duke, and return over the same route, serving no intermediate points, (R) between Carter, Okla., and junction U.S. Highway 283 and Oklahoma Highway 9, 6 miles north of Mangum; from Carter over Oklahoma Highway 34 to junction U.S. Highway 283, thence over U.S. Highway 283 to junction Oklahoma Highway 9, approximately 6 miles north of Mangum, and return over the same route, serving no intermediate points, (S) between junction U.S. Highway 66 and U.S. Highway 283 south of Sayre, Okla., and junction U.S. Highway 283 and Oklahoma Highway 34; from junction U.S. Highway 66 and U.S. Highway 283 over U.S. Highway 283 to junction Oklahoma Highway 34, and return over the same route, serving no intermediate points.

NOTE: Common control may be involved.

No. MC 107403 (Sub-No. 480), filed June 26, 1963. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Melamine*, in bulk, from South Point, Ohio, to Calumet City and Kankakee, Ill.

NOTE: Common control may be involved.

No. MC 112750 (Sub-No. 152), filed July 1, 1963. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside 61, N.Y. Applicant's attorney: John Kevin Murphy, 222-17 Northern Boulevard, Bayside, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, and documents* (excluding plant removals) between Canton, Ohio, on the one hand, and, on the other, Boyers, Pa., and (2) *charge sales tickets, cash sales tickets, charge credit sales tickets, refund slips, cash register tapes and accompanying documents* between Braintree, Mass., on the one hand, and, on the other, Branford, Manchester, and Wallingford, Conn., Laconia, Plymouth, Portsmouth, and Salem, N.H., and North Kingstown and Woonsocket, R.I.

NOTE: The proposed service in (1) above will be for the account of the Timken Roller Bearing Company of Canton, Ohio, and in (2) above, for the account of L. Grossman Sons, Inc., of Braintree, Mass. It is further noted that common control may be involved.

No. MC 113024 (Sub-No. 37), filed July 3, 1963. Applicant: ARLINGTON JOHN WILLIAMS, doing business as A. J. WILLIAMS, 152 Killoran Drive, New Castle, Del. Applicant's attorney: Samuel W. Earnshaw, 983 National Press Building, Washington 4, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sodium thiocyanate*, in bulk, in Sealdtanks, from the plant site of Halby Chemical Co., Inc., located at or near Wilmington, Del., to the plant site of American Cyanamid Co. located at Milton, Fla., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, on return.

NOTE: Applicant states the proposed service will be performed for the account of Halby Chemical Co., Inc.

and (2) *ammonium thioglycolate*, in bulk, in Sealdtanks, from the plant site of Halby Products Company, Inc., located at or near Wilmington, Del., to Chicago, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, on return.

NOTE: Applicant states the proposed service will be performed for the account of Halby Products Company, Inc.

No. MC 114194 (Sub-No. 46), filed June 25, 1963. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup and blends thereof*, in bulk, from Granite City, Ill., to points in Montana, Wyoming, New Mexico, Arizona, and California, and *rejected shipments*, on return.

No. MC 115331 (Sub-No. 53), filed June 30, 1963. Applicant: TRUCK TRANSPORT, INC., 707 Market Street, St. Louis, Mo. Applicant's attorney: Thomas F. Kilroy, Suite 1250 Federal Bar Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from Havana, Ill., to points in Iowa, located on and east of U.S. Highway 69 and points in Missouri, located on and north of U.S. Highway 40, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodity, on return.

No. MC 125310 (Sub-No. 1), filed July 5, 1963. Applicant: FOSS LAUNCH & TUG CO., a corporation, 660 West Ewing, Seattle, Wash. Applicant's attorney: Alan F. Wohlstetter, One Farragut Square South, Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, including vehicles and petroleum products*, seasonal between May 1 and November 1 for the account of the Department of Defense, when moving on a government bill of lading in connection

with the Arctic Resupply of Dew Line and/or Mona Lisa sites in Alaska, to, from and between tidewater beach landing or dockside on the one hand, and, on the other, military resupply sites located at or near Shemya, Smugglers Cove, Duncan Canal, Hoonah, Ocean Cape, Yakataga, Boswell Bay, Middleton Island, Fire Island, Point McKenzie, Mukilteo, Dutch Harbor, Haines, Ohlson Mountain (Homer) Anchorage, and Elmendorf AFB, Alaska, on traffic having a prior or subsequent movement by water via ocean-going barges owned or operated by Foss Launch & Tug Co.

No. MC 125342 (Sub-No. 2), filed July 3, 1963. Applicant: MAINE CENTRAL RAILROAD COMPANY, a corporation, 232 St. John Street, Portland, Maine. Applicant's attorney: Scott W. Schully (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Lubec, Maine, and Eastport, Maine: from Lubec over Maine Highway 189 to junction U.S. Highway 1, thence over U.S. Highway 1 to junction Maine Highway 190, thence over Maine Highway 190 to Eastport, and return over the same route, serving no intermediate points, and (2) between Lubec, Maine and Machias, Maine: from Lubec over Maine Highway 189 to junction U.S. Highway 1, thence over U.S. Highway 1 to Machias, and return over the same route, serving no intermediate points.

NOTE: Applicant states the proposed service will be restricted to traffic having an immediately prior or immediately subsequent movement by rail.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub-No. 300) (CORRECTION), filed May 27, 1963, published FEDERAL REGISTER issue June 19, 1963, and republished as corrected this issue. Applicant: THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Earl A. Bagby, 371 Market Street, San Francisco 5, Calif. 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, over relocated segments of U.S. Highway 30 between Emigrant Springs Junction and Meacham Junction, and between South Baker Junction and Pleasant Valley Junction, to be included as segments of Oregon Route No. 27 which is proposed to be reissued as of current date in adoption thereof, as follows: "27. Between Portland, Ore., and the Oregon-Idaho State line west of Weiser, Idaho: from Portland over U.S. Highway 30 to junction U.S. Highway 30N (Weiser Wye), thence over U.S. Highway 30N to the Oregon-Idaho State line, and return over the same route, serving all intermediate points. (Connects with Idaho route 7.)"

NOTE: The proposed operating authority shown above is to be incorporated in the

revised and added sheets to Certificate No. MC 1501 (Sub-No. 138). The purpose of this republication is to clearly set forth the issues involved.

No. MC 1501 (Sub-No. 301), filed June 23, 1963. Applicant: THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Robert J. Bernard (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, newspapers, and mail*, in the same vehicle with passengers, between Jasper, Ala., and junction U.S. Highway 78 and Alabama Highway 118 (old U.S. Highway 78), east of Carbon Hill, Ala., from Jasper over new U.S. Highway 78 to junction Alabama Highway 118 (old U.S. Highway 78), east of Carbon Hill, and return over the same route, serving all intermediate points. Applicant also requests that its present operating authority over old U.S. Highway 78 be amended as follows, to properly reflect recent highway redesignations and the certificated rights sought herein: Sheet No. 3; Route 9: Between Memphis, Tenn., and Birmingham, Ala., serving all intermediate points, from Memphis over U.S. Highway 78 to Birmingham, and return over the same route; also from junction U.S. Highway 78 and Alabama Highway 118, east of Carbon Hill, Ala., over Alabama 118 to Jasper, Ala.

No. MC 13300 (Sub-No. 79), filed June 30, 1963. Applicant: CAROLINA COACH COMPANY, a corporation, 1201 South Blount Street, Raleigh, N.C. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express and newspapers*, in the same vehicle with passengers, between Bayview and Norfolk, Va., from Bayview over U.S. Highway 13 and the Chesapeake Bay Bridge-Tunnel to junction Virginia Highway 166, and thence over Virginia Highway 166 to Norfolk, and return over the same route, serving all intermediate points.

NOTE: Common control may be involved.

No. MC 125452 EX, filed June 17, 1963. Applicant: MASSENA ST. LAWRENCE SEAWAY BOAT TOUR, INC., 182 Main Street, St. Lawrence, N.Y. Applicant's attorney: Bennett Abrams, 22 Main Street, Post Office Box 238, Massena, N.Y. A Certificate of Exemption sought under section 204(a) (4a), Part II, in the conduct of operations as a carrier by motor vehicle, of regular routes, in seasonal operations between May 15th and November 1st, inclusive of each year, transporting: *Passengers and their baggage*, wholly within the State of New York, from the boat basin on St. Lawrence River at the intersection of North Main Street and New River Road (New York Highway 131) to public boat basin on Barnhardt Island, retracing to intersection with East-West Highway to Hawkins Point, and return over the same route.

NOTICE OF FILING OF PETITION

No. MC 99272 (Sub-No. 2) (PETITION FOR MODIFICATION OF CERTIFICATE), filed June 27, 1963. Petitioner: CUMBERLAND MOTOR FREIGHT, INC., Lebanon, Ky. Petitioner's attorney: Fred F. Bradley, 711 McClure Building, Frankfort, Ky. Petitioner is authorized in MC 99272 (Sub-No. 2) to operate as a common carrier, by motor vehicle, transporting: General commodities, except those of unusual value, explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment other than those requiring refrigeration, and those injurious or contaminating to other lading, between specified points in Kentucky, over regular routes. By the instant petition, petitioner requests the Interstate Commerce Commission waive the requirements of § 1.101(e) and through appropriate action modify the commodity description in petitioner's certificate so as to delete "explosives" as an exception and in lieu of such exception insert "Classes A and B explosives". Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 43269 (Sub-No. 49), filed June 28, 1963. Applicant: WELLS CARGO, INC., 1775 East Fourth Street, Reno, Nev. Applicant's attorney: G. Alfred Roensch, 21st Floor, 100 Bush Street, San Francisco 4, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, and commodities in bulk), between points in the San Francisco territory as defined in Note 1, and Morgan Hill, Madrone, San Martin, and Gilroy, Calif., on the one hand, and, on the other, points in the Los Angeles territory as defined in Note 2.

Note 1: San Francisco Territory includes that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Boundary line meets the Pacific Ocean; thence easterly along said boundary line to a point one (1) mile west of U.S. Highway 101; southerly along an imaginary line one (1) mile west of and paralleling U.S. Highway 101 to its intersection with the corporate boundary of the City of San Jose; southerly, easterly and northerly along said corporate boundary to its intersection with California Highway 17; northerly along California Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive and Broadway Terrace to College Avenue; north-

erly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marim Avenue; westerly along Marim Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the City of Richmond; southwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said waterfront and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to the point of beginning.

Note 2: Los Angeles Territory includes that area embraced by the following boundary: Beginning at the intersection of Sunset Boulevard and U.S. Highway 101 Alternate; thence northeasterly along Sunset Boulevard to California Highway 7; northerly along California Highway 7 to California Highway 118; northeasterly along California Highway 118 through and including the City of San Fernando; continuing northeasterly and southeasterly along California Highway 118 to and including the City of Pasadena; easterly along U.S. Highway 66 to California Highway 19; southerly along California Highway 19 to Lower Azusa Road; easterly on Lower Azusa Road to its intersection with the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; southeasterly on Beverly Boulevard to Painter Avenue in the City of Whittier; southerly on Painter Avenue to California Highway 26; westerly along California Highway 26 to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Imperial Highway; westerly on Imperial Highway to California Highway 19; southerly along California Highway 19 to its intersection with U.S. Highway 101 Alternate at Ximeno Street; southerly along Ximeno Street and its prolongation to the Pacific Ocean; westerly and northerly along the shore line of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and U.S. Highway 101 Alternate; thence northerly along an imaginary line to the point of beginning.

Note 3: This application is a matter directly related to MC-F 8487, published July 10, 1963.

No. MC 125469 (CORRECTION), filed June 25, 1963, published FEDERAL REGISTER, issue of July 10, 1963, and corrected this issue. Applicant: LLOYD H. BOWSER AND STELLA CAMPBELL, doing business as BOWSER & CAMPBELL, Petrolia Street, Knox, Pa. Applicant's attorney: Wilhelmina Boersma, 2550 Penobscot Building, Detroit 26, Mich. The purpose of this correction is to correct the docket number assigned, as shown above No. MC 125469, previously published as No. MC 125459, in error.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-8280 (H. LAUREN LEWIS—CONTROL—WILSON STORAGE AND TRANSFER CO.), published in the November 15, 1962, and December 19, 1962, issues of the FEDERAL REGISTER, on pages 11301 and 12602, respectively. Petition filed July 10, 1963, seeking, among other things, reopening of the proceeding and substitution of a new agreement which would amend the application under section 5, to seek (1) authority for the acquisition by BUFFALO EXPRESS, INC., a noncarrier corporation, of control of WILSON STORAGE AND TRANSFER CO., for a period of 10 years, through management, and, in turn, by H. LAUREN LEWIS and LOWELL C. HANSEN, who control BUFFALO EXPRESS, INC., through ownership of capital stock, and (2) modification and extension of the outstanding temporary authority under section 210a(b).

No. MC-F-8387 (NATIONAL CITY LINES, INC.—CONTROL—AUTOMOBILE CARRIERS, INC., C & J COMMERCIAL DRIVEAWAY, INC., AND DEALERS TRANSIT, INC.), published in the March 20, 1963, issue of the FEDERAL REGISTER on page 2773. Supplementing prior notice to show the following additional operating rights sought to be controlled: (DEALERS TRANSIT, INC.) *Citrus fruits and dry beans*, as a common carrier over regular routes, from Santa Paula, Ventura County, Calif., and certain intermediate and off-route points; *fertilizer*, from Los Angeles Harbor and Long Beach, Calif., to Santa Paula, Ventura County, Calif., and certain intermediate and off-route points; *groceries, canned goods, and light hardware*, from Los Angeles, Calif., to Oatman, Ariz., serving no intermediate points; *general commodities*, excepting, among others, household goods but not excepting commodities in bulk, over irregular routes, between points in the Los Angeles Harbor Commercial Zone as defined by the Commission, on the one hand, and, on the other, points in the Los Angeles Commercial Zone as defined by the Commission; *petroleum and petroleum products*, in bulk, in tank vehicles, in foreign commerce only, from points in Los Angeles County, Calif., to the United States-Mexico Boundary line at Andrade, Calif.; *petroleum and petroleum products*, in containers, and related advertising specialties, sales cabinets and similar items, in truckloads of not less than 10,000 pounds, from Los Angeles, Watson, San Pedro, Terminal Island, Wilmington, and Long Beach, Calif., to points in that part of Arizona south and east of the Colorado River; *empty drums, barrels, cases, and other containers*, from the destination points named immediately above, to the origin points specified immediately above; *machinery*, including that requiring special equipment for handling, *mining and contractors' equipment*, including lumber, cement, pipe, acids, chemicals, and *building and miscellaneous supplies* (building and miscellaneous supplies authorized only when handled in a mixed load with machinery or other equip-

ment), in truckloads of not less than 10,000 pounds, between points in that part of California south of the northern boundaries of Mono, Tuolumne, Stanislaus, Santa Clara, and Santa Cruz Counties, Calif., on the one hand, and, on the other, points in that part of Arizona south and east of the Colorado River, between points in the above-described Arizona and California territory, on the one hand, and, on the other, Searchlight, Nev.; *empty cement sacks*, between Searchlight, Nev., and points in the above-described Arizona and California territory; *machinery*, including that requiring special equipment, for handling, *pipe, steel*, and *lumber*, in truckloads of not less than 10,000 pounds, from San Pedro, Terminal Island, Wilmington, and Long Beach, Calif., to points in that part of California south of the northern boundaries of Mono, Tuolumne, Stanislaus, Santa Clara, and Santa Cruz Counties, Calif.; *such commodities* as require special equipment and handling by reason of their unusual weight, bulk, or length, used in construction, roadbuilding, mining, well drilling (oil, gas, or water), and military and demolition projects, and boats, minimum 10,000 pounds, between points in Los Angeles County, Calif., on the one hand, and, on the other, points in Clark and Lincoln Counties, Nev., and points in that part of Nye County, Nev., on the south of Nevada Highway 25, except Tonopah, Nev.; *such commodities*, as require special equipment and handling by reason of their unusual weight, bulk, or length, and in connection therewith *materials and supplies* not of unusual weight, bulk, or length, used or to be used in construction, roadbuilding, mining, well drilling (oil, gas or water), and military or demolition projects, in shipments of not less than 10,000 pounds, between points in Arizona and Nevada, and points in New Mexico other than points south and east of U.S. Highway 54, between points in California south of the northern boundaries of Mono, Tuolumne, Stanislaus, Santa Clara, and Santa Cruz Counties, on the one hand, and, on the other, points in New Mexico, except points south and east of U.S. Highway 54, between points in that part of California on and south of a line beginning at the Pacific Ocean and extending in an easterly direction through Monterey, Salinas, Paicines, Mendota, Fresno, Dunlap, and Independence, Calif., to the California-Nevada State line, on the one hand, and, on the other, points in Nevada except between points in Los Angeles County, Calif., on the one hand, and, on the other, points in Clark and Lincoln Counties, Nev., and points in Nye County, Nev., other than points within ten miles of Tonopah, Nev., on or south of Nevada Highway 25; *heavy machinery, construction materials and supplies, and 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, between points in that part of California on and south of a line beginning at the Pacific Ocean

and extending in an easterly direction through Monterey, Salinas, Paicines, Mendota, Fresno, Dunlap, and Independence, Calif., to the California-Nevada State line; *junk iron and steel*, from points in the next above-described territory to Long Beach Harbor and Los Angeles Harbor, Calif.; *nuts and bolts*, from Los Angeles Harbor, Calif., to Alhambra, Calif.; *compressed gas*, in cylinders, from Huntington Beach, Calif., to Long Beach Harbor and Los Angeles Harbor, Calif.; *empty cylinders*, from Long Beach Harbor and Los Angeles Harbor, Calif., to Huntington Beach, Calif.; *iron and steel articles*, the transportation of which by reason of their unusual weight, bulk, or length requires the use of special equipment, from Los Angeles, Compton, and Fontana, Calif., to points in Arizona; *iron and steel articles*, not requiring special equipment, but moving in lengths in excess of 45 feet, from Los Angeles, Compton, and Fontana, Calif., to points in Arizona; *government-owned compressed gas trailers, empty or loaded with compressed gases* (other than liquefied petroleum gas), between Shiprock and Gallup, N. Mex., on the one hand, and, on the other, the atomic test site of the U.S. Atomic Energy Commission, at or near Mercury, Nev.; *iron and steel reinforcing bars*, having a minimum length of 45 feet, from the port of entry on the United States-Mexico Boundary line at Calexico, Calif., to points in Arizona; *damaged or returned shipments* of iron and steel reinforcing bars, from points in Arizona, to port of entry on the United States-Mexico Boundary line at Calexico, Calif.; *missile trailers*, in truck-away service, moving on Government bills of lading, between Litchfield Park, Ariz., and San Diego, Calif.; *heavy or cumbersome commodities*, which because of size or weight, require the use of special equipment, between points in Texas and New Mexico.

No. MC-F-8491. Authority sought for control and merger by MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago 29, Ill., of the operating rights and property of INTERSTATE TRUCK SERVICE, INC., 605-611 South First Street, Martins Ferry, Ohio, and for acquisition by MILTON D. RATNER, 310 South Michigan Avenue, Chicago, Ill., of control of such rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman and Steiner, 39 South La Salle Street, Chicago 3, Ill. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, commodities in bulk, but not excepting household goods, as a *common carrier* over a regular route, between Glencoe, Ohio, and Wheeling, W. Va., serving all intermediate points, and the off-route points of Willow Grove, and Warnock, Ohio; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between points in that part of Ohio on and north of a line beginning at the Ohio-Indiana State line and extending over U.S. Highway 30 to junction U.S. Highway 30N, thence over U.S. Highway 30N to junction U.S. Highway

30, thence over U.S. Highway 30 to the Ohio-Pennsylvania State line, on the one hand, and, on the other, New York, N.Y., and Philadelphia, Pa., and points within 30 miles of each and Baltimore, Md.; **RESTRICTION:** The authority herein granted and that now held by carrier through West Virginia shall be construed as comprising a single operating right and shall not be severable by sale or otherwise, between points in Ohio and West Virginia within 2 miles of the Ohio River northerly from Sistersville, W. Va., and Fly, Ohio, extending to the junction of the West Virginia-Ohio-Pennsylvania State lines, on the one hand, and, on the other, Baltimore, Md., and Philadelphia, Pa., from Lancaster, Pa., to points in the origin territory in Ohio and West Virginia as specified above, between points in Belmont County, Ohio, except Martins Ferry, Bridgeport, Bellaire, and Powhatan Point, Ohio, on the one hand, and, on the other, points in West Virginia and Pennsylvania, except that service is not authorized between Wheeling, W. Va., and Brookside, Lansing, Blaine, St. Clairsville, Lloydsville, Belmont, Bethesda, Morristown, and East Richland, Ohio; *general commodities*, excepting, among others, commodities in bulk, but not excepting household goods, between Glencoe, Ohio, and points within 5 miles of Glencoe, on the one hand, and, on the other, Pittsburgh, Pa., and Parkersburg, W. Va.; *iron and steel articles, wire, rolling mill rolls, rolling mill machinery, and matches*, from points in Ohio and West Virginia, within 2 miles of the Ohio River northerly from Sistersville, W. Va., and Fly, Ohio, and extending to the junction of the West Virginia-Ohio-Pennsylvania State lines to Lancaster, Reading, York, Harrisburg, Steelton, Erie, Altoona, and Tyrone, Pa.; *iron and steel articles*, from points in the above-specified origin territory to Hagerstown, Md., and Frederick, Md.; *rigid conduit, electric cable, iron and steel articles, and armored cable*, from points in the above-specified origin territory to Washington, D.C.; *petroleum products, and soap*, from Marcus Hook, Pa., and Baltimore, Md., to Parkersburg and Orma, W. Va., and points in Ohio within 80 miles of Wheeling, W. Va., except those points in Ohio included in the above-specified origin territory; *sugar*, from Baltimore, Md., to Parkersburg and Orma, W. Va., and points in Ohio within 80 miles of Wheeling, W. Va., except those points in Ohio included in the above-specified origin territory; *iron and steel articles, lanterns, lamp burners, metal tubes, and bottle caps*, from points in the above-specified origin territory in Ohio and West Virginia to Indianapolis, Fort Wayne, Auburn, and Huntington, Ind.; *iron and steel articles, lanterns, lamp burners, metal tubes, bottle caps, rolling mill rolls, rolling mill machinery, and boat davits*, from points in the above-specified origin territory to Louisville, Ky., and Ashland, Ky.; *iron and steel articles*, from points in Ohio in the above-specified origin territory to Dunbar, W. Va.; *evaporated milk*, from Barnesville, Ohio, to Baltimore, Md., Washington, D.C., Philadelphia, Pa., and

points within 30 miles of Philadelphia, and Altoona, Harrisburg, Easton and Barnesboro, Pa.; *general commodities*, except those of unusual value, and except dangerous explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, and liquid commodities in bulk, between points in the above-specified origin territory in Ohio and West Virginia, on the one hand, and, on the other, points in Pennsylvania on and west of U.S. Highway 219 extending from the Maryland-Pennsylvania State line near Salisbury, Pa., to Ebensburg, Pa., thence on and south of U.S. Highway 422 extending from Ebensburg to Portersville, Pa., thence on and west of U.S. Highway 19 extending from Portersville to Mercer, Pa., and thence on and south of U.S. Highway 62 extending from Mercer to the Pennsylvania-Ohio State line, Sparrows Point, Md., New York, N.Y., and points within 30 miles of New York, points within 30 miles of Philadelphia, Pa., and points in New York on and west of a line beginning at Windsor Beach, N.Y., and extending to Rochester, N.Y., thence along U.S. Highway 15 to Wayland, N.Y., thence along New York Highway 245 to Dansville, N.Y., thence along New York Highway 36 to Andover, N.Y., and thence along New York Highway 17 to the New York-Pennsylvania State line, between points in West Virginia in the above-specified origin territory, on the one hand, and, on the other, points in Ohio; *milk*, in containers, from Waterford, Ohio, to points in Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, West Virginia, and the District of Columbia, from Barnesville, Ohio, to points in Delaware, Massachusetts, New Jersey, New York, and the District of Columbia; *milk*, fresh and processed, in containers, from Barnesville, Ohio, to points in Maryland, from Waterford, and Barnesville, Ohio, to points in Kentucky, Tennessee, and Virginia. **MIDWEST EMERY FREIGHT SYSTEM, INC.**, is authorized to operate as a *common carrier* in Nebraska, South Dakota, Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, Missouri, Illinois, Minnesota, Iowa, North Dakota, Tennessee, Kansas, Georgia, North Carolina, South Carolina, Florida, Arkansas, Louisiana, Mississippi, Colorado, Alabama, Utah, Oregon, Washington, Texas, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8492. Authority sought for control by W-F & CO., 65 Broadway, New York 6, N.Y., of **WELLS FARGO ARMORED SERVICE CORPORATION**, a New York corporation, 65 Broadway, New York 6, N.Y., **WELLS FARGO ARMORED SERVICE CORPORATION**, a Tennessee corporation, 277 Monroe Ave., Memphis, Tenn., and **WELLS FARGO ARMORED SERVICE CORPORATION**, a Mississippi Corporation, 277 Monroe Ave., Memphis, Tenn., through purchase of the capital stock of **WELLS**

FARGO & COMPANY (a Colorado Corporation) and merger of the latter into W-F & Co., and for acquisition by **AMERICAN EXPRESS COMPANY**, also of New York, N.Y., of control of **WELLS FARGO ARMORED SERVICE CORPORATION**, a New York corporation, **WELLS FARGO ARMORED SERVICE CORPORATION**, a Tennessee corporation, and **WELLS FARGO ARMORED SERVICE CORPORATION**, a Mississippi corporation, through the acquisition by W-F & CO. Applicants' attorney: David G. Macdonald, Suite 602, 1000 16th Street NW., Washington 6, D.C. Operating rights sought to be controlled: (**WELLS FARGO ARMORED SERVICE CORPORATION**, a New York corporation) *Currency, securities, gold, silver, and bullion*, as a *contract carrier* over irregular routes, between New York, N.Y., and points in Westchester County, N.Y., on the one hand, and, on the other, points in Mercer, Monmouth, Middlesex, Somerset, Union, Hudson, Essex, Morris, Bergen, and Passaic Counties, N.J., between New York, N.Y., on the one hand, and, on the other, Washington, D.C., Wilmington, Del., Philadelphia, Pa., and Greenwich and Hartford, Conn., between Trenton, N.J., and Philadelphia, Pa.; *coin*, between Boston, Mass., New York, N.Y., Philadelphia, Pa., and Washington, D.C.; *bullion*, from New York, N.Y., to Philadelphia, Pa., **RESTRICTION**: The above-described operations are limited to a transportation service to be performed, under a continuing contract, or contracts, with agencies of the United States Government; (**WELLS FARGO ARMORED SERVICE CORPORATION**, a Tennessee corporation) *Currency, coin, and negotiable instruments*, in armored vehicles accompanied by guards, as a *contract carrier* over irregular routes, between Huntington, W. Va., and Greenup, Ky.; *such commodities*, as require special protection by guards in armored vehicles while in transit, between Huntington, W. Va., and Russell, Ky., between Memphis, Tenn., on the one hand, and, on the other, Marion, Crawfordsville, and Earle, Ark., between Memphis, Tenn., on the one hand, and, on the other, Byhalia, Holly Springs, New Albany, Tupelo, Baldwin, Booneville, Ripley, Walnut, Olive, Branch, Potts Camp, Hickory Flat, Sherman, Guntown, Blue Mountain, Falkner, Ashland, and Slatillo, Miss.; *coin*, between Atlanta, Ga., Baltimore, Md., Birmingham, Ala., Charlotte, N.C., Jacksonville, Fla., Louisville, Ky., Little Rock, Ark., Memphis and Nashville, Tenn., New Orleans, La., Philadelphia, Pa., Richmond, Va., St. Louis, Mo., and Washington, D.C.; *coin, currency, and negotiable securities*, in armored vehicles, escorted by armed guards, between Charlotte, N.C., on the one hand, and, on the other, points in Florence, Marion, Dillon, Lee, Darlington, Marlboro, Williamsburg, Sumter, Clarendon, Kershaw, Chesterfield, Oconee, Pickens, Greenville, Spartanburg, Cherokee, York, Lancaster, Chester, Union, Laurens, Anderson, Abbeville, Greenwood, Newberry, Fairfield, Richland, Lexington, Saluda, McCormick, Edgefield, and Aiken Counties, S.C., **RESTRICTION**: The opera-

tions authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts, with banks and financial institutions; (**WELLS FARGO ARMORED SERVICE CORPORATION**, a Mississippi corporation) *Coin, currency, and other valuables*, requiring special protection by guards in armored vehicles while in transit, as a *contract carrier* over irregular routes, between Augusta, Ga., on the one hand, and, on the other, points in Aiken and Barnwell Counties, S.C., **RESTRICTION**: The operations authorized herein are limited to a transportation service to be performed under a continuing contract or contracts, with banks or banking institutions. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8493. Authority sought for purchase by **DEARMAN TRANSPORTATION CO., INC.**, 906 Fifth Avenue, Mansfield, Ohio, of the operating rights and property of **CREST EXPRESS LINES, INC.**, 2320 Orange Avenue, Cleveland, Ohio, and for acquisition by **LOUIS C. DEARMAN**, Middle Bellevue Road, Mansfield, Ohio, of control of such rights and property through the purchase. Applicants' attorney: Taylor C. Burneson, 3430 LeVeque-Lincoln Tower, Columbus 15, Ohio. Operating rights sought to be transferred: Claims "grandfather" rights in Ohio, under section 206(a)(7) of the Act, pursuant to BOR-99, in No. MC-120244 Sub-1, covering the transportation of property, over irregular routes, from and to Cleveland, Ohio, and points in the Cleveland Commercial Zone, as defined by the Public Utilities Commission of Ohio; and *household goods, office furniture and fixtures*, from and to points in Cuyahoga County, Ohio. Vendee claims "grandfather" rights, in Ohio, under section 206(a)(7) of the Act, pursuant to BOR-99, in No. MC-97911 Sub-1. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8494. Authority sought for control by **EUGENE PIKOVSKY**, doing business as **FREIGHT TRANSIT COMPANY**, 2600 University Avenue SE., Minneapolis 13, Minn., of **THRUN TRUCK LINES, INC.**, 1096 Raymond Avenue, St. Paul 8, Minn. Applicants' attorneys: Donald A. Morken, 1000 First National Bank Building, Minneapolis 2, Minn., and William S. Tomljanovich, 2327 Wycliff Street, St. Paul 14, Minn. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Kerrick, Minn., and St. Paul, Minn., serving certain intermediate and off-route points, **RESTRICTION**: The above-described operation shall be conducted separately from said carrier's other activities, a separate accounting system therefor shall be maintained, and said carrier shall not transport property as both a public and private carrier at the same time and in the same vehicle; *general commodities*, except those of unusual value, Class A and B explosives, and commodities requiring special equipment, between Askov, Minn., and Duluth, Minn., serving all intermediate and cer-

tain off-route points; *cream and eggs*, from Finlayson, Minn., to Duluth, Minn., serving all intermediate and certain off-route points; *fresh fruits and vegetables*, from Minneapolis, Minn., to Duluth, Minn., serving all intermediate and certain off-route points; *groceries*, from Duluth, Minn., to Rutledge, Minn., serving all intermediate and certain off-route points; *diary products, unprocessed agricultural commodities, lumber, pulpwood and fuel wood*, over irregular routes, between points within 10 miles of that portion of Minnesota Highway 23 between Askov and Nickerson, Minn., both inclusive (except those on Minnesota Highway 23 on the above-specified route), on the one hand, and, on the other, Duluth, Minn., and Superior, Wis. EUGENE PIKOVSKY, doing business as FREIGHT TRANSIT COMPANY, is authorized to operate as a common carrier in Minnesota, Iowa, and Nebraska. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8495. Authority sought for control by BRANCH MOTOR EXPRESS COMPANY, 300 Maspeth Avenue, Brooklyn 11, N.Y., of RODGERS MOTOR LINES, INC., Gilligan Street, and South Avenue, Scranton 8, Pa., and for purchase by BRANCH MOTOR EXPRESS COMPANY, of the operating rights and property of RODGERS MOTOR LINES, INC., and for acquisition by MEYER J. BUTENSKY, and MARVIN F. BURTON, both of Brooklyn, N.Y., of control of such rights and property through the transaction. Applicants' attorneys: C. D. Todd, 1825 Jefferson Place, Washington 6, D.C., and John R. Turney and Russell R. Sage, 2001 Massachusetts Avenue NW., Washington 6, D.C. Operating rights sought to be controlled and purchased: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes, between Endicott, N.Y., and Philadelphia, Pa., serving all intermediate points between Snoddersville, Pa., and Philadelphia, Pa., including Snoddersville, Pa. RESTRICTION: Service is not authorized between points in New York City or Long Island, N.Y., on the one hand, and, on the other, points in New Jersey; *general commodities*, excepting, among others, household goods and commodities in bulk, RESTRICTION: Service at points in New York on the regular routes authorized herein below is restricted to shipments moving over carrier's lines to or from points south of Binghamton, N.Y., between Binghamton, N.Y., and Utica, N.Y., between Homer, N.Y., and Oswego, N.Y., between Binghamton, N.Y., and Rochester, N.Y., between Painted Post, N.Y., and Buffalo, N.Y., between Utica, N.Y., and Buffalo, N.Y., between Wayland, N.Y., and Leicester, N.Y., between Ithaca, N.Y., and Auburn, N.Y., between Allentown, Pa., and Easton, Pa., between Bethlehem, Pa., and Windgap, Pa., serving all intermediate and certain off-route points; *general commodities*, excepting, among others, household goods and commodities in bulk, between Philadelphia, Pa., and New York, N.Y., serving all intermediate and certain off-route points; *general commodities*, be-

tween Homer, N.Y., and Berwick, Pa., between Endicott, N.Y., and West Pittston, Pa., between Tunkhannock, Pa., and Hawley, Pa., between Carbondale, Pa., and Forest City, Pa., between Pittston, Pa., and Berwick, Pa., between Kingston, Pa., and Dallas, Pa., between Mountaintop, Pa., and Hazleton, Pa., between White Haven, Pa., and West Hazleton, Pa., between Mt. Pocono, Pa., and Pocono Lake, Pa., between Mt. Pocono, Pa., and Skytop, Pa., between Stroudsburg, Pa., and Marshall's Creek, Pa., between Scranton, Pa., and New York, N.Y., between certain points in New York, serving all intermediate and certain off-route points; *salt*, in bags, serving Retsof, N.Y., as an off-route point in connection with carrier's regular route operations; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between points in that part of Pennsylvania north of a line beginning at the Pennsylvania-New Jersey State line, and extending through Stroudsburg, Pa., to Hazleton, Pa., and thence along Pennsylvania Highway 29 to junction Pennsylvania Highway 93, thence along Pennsylvania Highway 93 to Berwick, Pa., and east of a line beginning at Berwick and extending along Pennsylvania Highway 487, to Red Rock, Pa., thence along Pennsylvania Highway 115 (formerly Pennsylvania Highway 415) to junction unnumbered highway (formerly Pennsylvania Highway 415), thence along unnumbered highway to junction Pennsylvania Highway 29, thence along Pennsylvania Highway 29 to junction U.S. Highway 309 (formerly Pennsylvania Highway 29), thence along U.S. Highway 309 via Tunkhannock, Pa., to the New York-Pennsylvania State line, including points on the indicated portions of the highways and lines specified, on the one hand, and, on the other, Baltimore, Md., Wilmington and Dover, Del., and points in that part of Pennsylvania east of a line beginning at the Maryland-Pennsylvania State line and extending along U.S. Highway 1 to junction Pennsylvania Highway 10 (formerly U.S. Highway 122), thence along Pennsylvania Highway 10 to junction U.S. Highway 122, thence along U.S. Highway 122 to Pottsville, Pa., thence along U.S. Highway 209 to Tamaqua, Pa., thence along Pennsylvania Highway 29 to Hazleton, Pa., and south of a line beginning at Hazleton, and extending through Stroudsburg, Pa., to the Pennsylvania-New Jersey State line, and that part of New Jersey south of U.S. Highway 22, west of a line beginning at junction U.S. Highway 22 and New Jersey Highway 69 (formerly New Jersey Highway 30) and extending along New Jersey Highway 69 to Trenton, N.J., and west and south of a line beginning at Trenton and extending along U.S. Highway 206 to junction U.S. Highway 30, thence along U.S. Highway 30 to Atlantic City, N.J., including points on the indicated portions of the lines and highways specified; and *skin creams, skin lotions, suntan preparations, cosmetics, antiseptic creams, shaving creams, shaving products, and other skin preparations*, from the plant

site of the Noxzema Chemical Company, at or near Cockeysville, Md., to points in that part of Pennsylvania on, north, and east of a line beginning at the Pennsylvania-New Jersey State line and extending along U.S. Highway 611 to Stroudsburg, Pa., thence along U.S. Highway 209 to junction Pennsylvania Highway 29 thence, along Pennsylvania Highway 29 through Hazleton, Pa., to junction Pennsylvania Highway 93, thence along Pennsylvania Highway 93 to Berwick, Pa., thence along Pennsylvania Highway 487 to Red Rock, Pa., thence along Pennsylvania Highway 118 to junction Pennsylvania Highway 29, thence along Pennsylvania Highway 29 to Tunkhannock, Pa., and thence along U.S. Highway 309, to the Pennsylvania-New York State line. Vendee is authorized to operate as a common carrier in New York, New Jersey, Maryland, Pennsylvania, Delaware, West Virginia, Ohio, Virginia, Massachusetts, Connecticut, Rhode Island, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8496. Authority sought for purchase by C & H TRANSPORTATION CO., INC., Post Office Box 5976, Dallas, Tex., of the operating rights of DON L. COONEY, INC., doing business as NORTHWEST HAULING COMPANY, DIVISION OF DON L. COONEY, INC., 2318 South Tacoma Way, Tacoma, Wash., and for acquisition by W. O. HARRINGTON, Coppell, Tex., of control of such rights through the purchase. Applicants' attorney and representative respectively: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., and Don L. Cooney, 2318 South Tacoma Way, Tacoma, Wash. Operating rights sought to be transferred: *Such commodities*, as by reason of their weight or size require special equipment, as a common carrier over irregular routes, between Tacoma, Wash., and points in Oregon, and those in that part of California on and north of a line beginning at Santa Cruz, Calif., and extending along California Highway 17 to junction unnumbered highway (formerly portion California Highway 17), thence along unnumbered highway through Milpitas, Calif., to junction California Highway 21, thence along California Highway 21 to Dublin, Calif., thence along U.S. Highway 50 to junction unnumbered highway (formerly portion of U.S. Highway 50), thence along unnumbered highway through Livermore, Calif., to junction U.S. Highway 50, thence along U.S. Highway 50 to junction unnumbered highway (formerly portion U.S. Highway 50), thence along unnumbered highway through Folsom, Calif., to junction U.S. Highway 50, thence along U.S. Highway 50 to junction unnumbered highway (formerly portion U.S. Highway 50), thence along unnumbered highway through Camino, Calif., to junction U.S. Highway 50, thence along U.S. Highway 50 to the California-Nevada State line; *such commodities*, as by reason of their weight or size require the use of special equipment, from points in King and Pierce Counties, Wash., to points in Oregon, RESTRICTION: Operations

pursuant to this certificate shall be conducted separately from any other operations or enterprises of carrier, and a separate and distinct accounting system shall be maintained for each. Vendee is authorized to operate as a *common carrier* in Kansas, New Mexico, Texas, Oklahoma, Louisiana, Illinois, Indiana, Kentucky, Mississippi, Arkansas, Wisconsin, North Dakota, South Dakota, Missouri, Nebraska, Colorado, Nevada, Pennsylvania, Montana, Wyoming, Tennessee, Ohio, Oregon, Washington, Minnesota, Michigan, Iowa, New Jersey, New York, Utah, West Virginia, Arizona, Alabama, Florida, Georgia, North Carolina, Virginia, South Carolina, and Alaska. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8497. Authority sought for purchase by W. R. STUBBS, 1501 West Main, Henryetta, Okla., of the operating rights and property of W. W. WINN, doing business as WINN TRANSPORT CO., 1312 North 12th Street, Duncan, Okla. Applicants' representatives: Miller, Melone, Wilson, Adams & Rodgers, 350 First Equity Building, Oklahoma City 1, Okla. Operating rights sought to be transferred: *Gasoline*, as a *common carrier* over irregular routes, from the Magnolia Petroleum Plant near Electra, Tex., and from Burkburnett, Tex., to Sunray, Okla.; *motor fuel*, from Sunray, Okla., to Wichita Falls, Tex.; *casinghead gasoline*, from points in Archer, Clay, Jack, Montague, Wichita, Wilbarger, and Young Counties, Tex. (except Wichita Falls, Tex., and points within 5 miles thereof), to Sunray, Okla.; *casinghead gasoline*, in bulk, in tank vehicles, from points in Archer, Clay, Jack, Montague, Wichita, Wilbarger, and Young Counties, Tex. (except Wichita Falls, Tex., and points within 5 miles thereof), to Santa Fe, Okla.; *motor fuel gasoline*, from Sunray, Okla., to points in Archer, Clay, Jack, Montague, Wichita, Wilbarger, and Young Counties, Tex., RESTRICTION: The separate authorities contained herein shall not be tacked or joined, directly or indirectly for the purpose of performing any through service. Vendee is authorized to operate as a *common carrier* in Oklahoma, Arkansas, Kansas, and Missouri. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8499. Authority sought for control by FRANCIS L. WIRTZ, Post Office Box 806, East Chicago, Ind., of TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa. Applicants' attorney: Charles B. Myers, 611 Field Building, Chicago 3, Ill. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Chicago, Ill., and Omaha, Nebr., serving all intermediate points in Iowa without restriction, and the off-route point of Joliet, Ill., restricted to pick-up only of wall paper and steel wire, between Iowa City, Iowa, and Cedar Rapids, Iowa, between Marenco, Iowa, and Belle Plaine, Iowa, between Marshalltown, Iowa, and Des Moines, Iowa, between Avoca, Iowa, and

Des Moines, Iowa, serving all intermediate points, between Iowa Falls, Iowa, and Mason City, Iowa, serving all intermediate points, between Thornton, Iowa, and Mason City, Iowa, serving the intermediate point of Swaledale, Iowa, from Mason City, Iowa, to Austin, Minn., serving no intermediate points, between Mason City, Iowa, and Grafton, Iowa, serving the intermediate point of Plymouth, Iowa, between La Crescent, Minn., and Davis Corners, Iowa, serving all intermediate points, except that service is not authorized between intermediate points in Minnesota, or between La Crosse, Wis., on the one hand, and, on the other, points on such route, other than Winona, over numerous alternate routes for operating convenience only; *general commodities*, except livestock, Class A and B explosives, household goods as defined by the Commission, hay, machinery requiring special equipment, and commodities in bulk, between Chicago, Ill., and Mason City, Iowa, serving all intermediate and certain off-route points, from Chicago over Alternate U.S. Highway 30 to junction U.S. Highway 30, thence over U.S. Highway 30 to Cedar Rapids, Iowa, thence over Iowa Highway 150 to Independence, Iowa, thence over U.S. Highway 20 to Waterloo, Iowa, thence over U.S. Highway 218 to Floyd, Iowa, thence over U.S. Highway 18 to Mason City, and return over the same route, RESTRICTION: Service on the immediately above-specified route between Waterloo and Mason City, Iowa, is restricted to traffic which has been originated or received through interchange by said carrier for transportation to or from points beyond Waterloo on its other existing routes; *general commodities*, between Mason City, Iowa, and Osage, Iowa, between Osage, Iowa, and Stacyville, Iowa, between Osage, Iowa, and Waterloo, Iowa, serving all intermediate and certain off-route points, between Riceville, Iowa, and La Crosse, Wis., serving all intermediate points except that service is not authorized from La Crosse to Minnesota points nor from Minnesota points to La Crosse; *livestock*, from Grafton, Iowa, to Austin, Minn., serving intermediate and off-route points within ten miles of Grafton, for pick-up only; *meats, meat products and meat byproducts*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Spencer, Iowa, to Mason City, Iowa, serving no intermediate points, RESTRICTION: The authority granted herein shall not be joined or tacked to any of carrier's otherwise authorized operating rights for the purpose of rendering any through transportation service of the above-mentioned commodities to destinations in Minnesota or to La Crosse, Wis.; *packinghouse products*, and *fresh meat*, between Omaha, Nebr., and Arcadia, Iowa, serving all intermediate and certain off-route points; *packinghouse products and dairy products*, in truckload lots, over regular and irregular routes from Iowa points to Chicago, Ill., serving the intermediate points in Manchester and Dubuque, Iowa, restricted to pick-up only; *butter, eggs, dressed*

poultry, and *agricultural commodities*, from Avoca, Exira, and Harlan, Iowa, to Chicago, Ill., serving no intermediate points; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between Hampton, Iowa, on the one hand, and, on the other, Latimer, Coulter, Alexander, Rowan, Hansell, Dumont, Sheffield, Dows, and Geneva, Iowa; *fresh meats, packinghouse products*, and *packinghouse supplies*, between Dunlap, Iowa, and Panama, Persia, and Portsmouth, Iowa, between Denison, Iowa, and DeLoit, Iowa, between Arcadia, Iowa, and Botna, and Irwin, Iowa, between Harlan, Iowa, and Panora, Iowa, RESTRICTION: Service under the authority specified immediately above is restricted to transportation of traffic moving to or from Omaha, Nebr. GENERAL RESTRICTION: The operating authority granted herein is restricted against the transportation of traffic between Omaha, Nebr., on the one hand, and, on the other, Waterloo, Cedar Falls, Charles City, and Mason City, Iowa, which originates at and is destined to the points named. FRANCIS L. WIRTZ holds no authority from this Commission. However, he is affiliated with CONTRACT STEEL CARRIERS, INC., 7500 West Chicago Avenue, Gary, Ind., which is authorized to operate as a *common carrier* in Illinois, Iowa and Indiana. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8500. Authority sought for control by DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend 21, Ind., of EMMERSON TRUCK & STORAGE CO., 121 East State Street, Battle Creek, Mich., and for acquisition by PAUL A. MAVIS, also of South Bend, Ind., of control of EMMERSON TRUCK & STORAGE CO., through the acquisition by DALLAS & MAVIS FORWARDING CO., INC. Applicants' attorneys: Walter N. Bieneman, 1 Woodward Avenue, Detroit 26, Mich., and Charles Pieroni, 4000 West Sample Street, South Bend, Ind. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between Battle Creek, Mich., on the one hand, and, on the other, points within eight miles of Battle Creek; *bread wrapping machines*, between Battle Creek, Mich., on the one hand, and, on the other, points in Illinois, Indiana, and Ohio; *contractors' machinery and equipment*, and *such commodities* which because of size or weight require the use of special equipment or special handling, between points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties, thence along U.S. Highway 16 to Lansing, thence on and west of a line extending along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Illinois, Indiana, Ohio and Wisconsin; *commodities*, the transportation of which because of size or weight require the use of special equipment and related machinery parts, and related contractors' materials and supplies when their trans-

portation is incidental to the transportation by carrier of commodities which by reason of size or weight require the use of special equipment, between points in Michigan, restricted against the transportation, in interstate or foreign commerce, of any traffic the origin and destination of which are both within 35 miles of Detroit, Mich., including Detroit; between points in that part of Michigan on, south and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties to junction U.S. Highway 16, thence along U.S. Highway 16 to Lansing, and thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Connecticut, Iowa, Missouri, New Jersey, New York, and Pennsylvania; *compressed gases*, in shipper-owned tank or tube trailers, except liquefied petroleum gases, in bulk, and *empty shipper-owned tank or tube trailers*, between Detroit, Flint, Battle Creek, Grand Rapids, and Albion, Mich., on the one hand, and, on the other, Toledo and Lima, Ohio. DALLAS & MAVIS FORWARDING CO., INC., is authorized to operate as a *common carrier* in all States (except Hawaii), and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8501. Authority sought for control by WORLD VAN SERVICE, INC., 1510 Norton Building, Seattle, Wash., of A WORLD VAN SERVICE, INC., Post Office Box 1005, Lynwood, Calif., and for acquisition by IRVING ANCHES, 2519 20th Avenue, East, Seattle, Wash., and HOWARD FORD, Post Office Box 11, Midland, Tex., of control of A WORLD VAN SERVICE, INC., through the acquisition by WORLD VAN SERVICE, INC. Applicants' attorney: George R. LaBissoniere, 333 Central Building, Seattle 4, Wash. Operating rights sought to be controlled: *Household goods*, as defined by the Commission, as a *common carrier* over irregular routes, between points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. WORLD VAN SERVICE, INC., holds no authority from this Commission. However, HOWARD FORD, is General Manager of MRS. ANNIE FORD, doing business as ROCKY FORD MOVING VANS, 1111 West Wall Street, Midland, Tex., which is authorized to operate as a *common carrier* in Texas, California, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Arizona, Arkansas, and Missouri. Application has not been filed for temporary authority under section 210a(b).

NOTE: A petition for dismissal has been filed simultaneously with the above application for lack of jurisdiction.

No. MC-F-8502. Authority sought for purchase by NEW PENN MOTOR EXPRESS, INC., 18 East Weidman Street,

Lebanon, Pa., of the operating rights of LONG ISLAND TRANSPORTATION, INC., 461 River Road, Clifton, N.J., and for acquisition by HENRY R. ARNOLD, 524 South 12th Street, Lebanon, Pa., of control of such rights through the purchase. Applicants' attorneys: William Biederman, 280 Broadway, New York 7, N.Y., and Bowes & Millner, 1060 Broad Street, Newark 2, N.J. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between points in Nassau and Suffolk Counties, N.Y., on the one hand, and, on the other, points in the New York, N.Y., Commercial Zone, as defined by the Commission, between points in Westchester County, N.Y., on the one hand, and, on the other, points in New Jersey north of a line beginning at Trenton, N.J., and extending east through Asbury Park, N.J., to the Atlantic Ocean, including the points named, between New York, N.Y., and points in Westchester County, N.Y., and points in New Jersey specified above, on the one hand, and, on the other, points in Rockland and Orange Counties, N.Y., between points in the New York, N.Y., Commercial Zone, as defined by the Commission, on the one hand, and, on the other, points in Passaic, Bergen, Hudson, Essex, Morris, Union, Somerset, Middlesex, Monmouth, and Ocean Counties, N.J., between Clifton, N.J., on the one hand, and, on the other, points in New Jersey on and north of New Jersey Highway 33, points in Ocean County, N.J., and points in that part of Monmouth County, N.J., south of New Jersey Highway 33; *general commodities*, excepting, among others, household goods and commodities in bulk, between points in Hunterdon, Warren and Sussex Counties, N.J., and that part of Mercer County, N.J., on and north of New Jersey Highway 33, including Trenton, on the one hand, and, on the other, points in Nassau and Suffolk Counties, N.Y., RESTRICTION: The service authorized herein is subject to the following conditions: that the authority granted herein may not be combined or tacked directly or indirectly with any authority now held by carrier for the purpose of performing through service, and the authority herein granted and that now held by carrier between the same points shall be construed as comprising a single operating right such that the authority herein granted and now held between the same points shall not be severable by sale or otherwise. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New Jersey, and New York. Application has been filed for temporary authority under section 210a(b).

MOTOR CARRIER OF PROPERTY

No. MC-F-8498. Authority sought for control by MERLE P. HOOVER, WILLIAM A. NISKANEN and MAURICE H. HOOVER, 1068 Bond Street, Bend, Oreg., of EVERGREEN TRAILS, INC., 1936 Westlake Avenue, Seattle 1, Wash. Applicants' attorney: Donald A. Schafer, 12321 Southeast Evergreen Highway, Vancouver, Wash. Operating rights

sought to be controlled: Passengers and their baggage, and newspapers, express, and mail, in the same vehicle with passengers, as a *common carrier* over regular routes, between Snohomish, Wash., and Skykomish, Wash., between Monroe, Wash., and Seattle, Wash., between Monroe, Wash., and Woodinville, Wash., between Everett, Wash., and Woodinville, Wash., serving all intermediate points except that service to or from points between Seattle and Bothell, Wash., inclusive, is restricted to traffic moving from or to points north of Bothell, and service to or from points between Everett and Lowell inclusive is restricted to traffic moving from or to points east of Lowell. MERLE P. HOOVER, WILLIAM A. NISKANEN and MAURICE H. HOOVER, hold no authority from this Commission. However, they own stock control of MT. HOOD STAGES, INC. doing business as PACIFIC TRAILWAYS, 1068 Bond Street, Bend, Oreg., which is authorized to operate as a *common carrier* in Oregon, Idaho and Utah. MERLE HOOVER owns all of the stock of EUREKA-REDDING STAGES, INC., also of Bend, Oreg., which is authorized to operate as a *common carrier* in California. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-7486; Filed, July 16, 1963;
8:51 a.m.]

[Notice 546]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 12, 1963.

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 prehearing conferences will be called at 9:30 a.m., United States standard time or 9:30 a.m., local daylight saving time, if that time is observed, unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

SPECIAL RULES

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

SPECIAL RULES OF PROCEDURE FOR HEARING

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

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

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

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

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

No. MC 2962 (Sub-No. 33), filed July 3, 1963. Applicant: A. & H. TRUCK LINE, INC., 1277 Maxwell Avenue, Evansville, Ind. Applicant's attorney: Howell Ellis, Suite 616-618 Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving Champ, Mo., Industrial Village, as an off-route point in connection with applicant's regular-route operations to and from St. Louis, Mo.

HEARING: July 29, 1963, at the New Federal Building, Room 1620, 1520 Market Street, St. Louis, Mo., before Joint Board No. 179, or, if the Joint Board waives its right to participate before Examiner William A. Royall.

No. MC 14582 (Sub-No. 9), filed July 5, 1963. Applicant: ELFRINK TRUCK LINES, INC., Advance, Mo. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the Village of Champ, Mo., also known as Champ Industrial Village, as an off-route point in connection with applicant's authorized regular-route operations.

HEARING: July 29, 1963, at the New Federal Building, Room 1620, 1520 Market Street, St. Louis, Mo., before Joint Board No. 179, or, if the Joint Board waives its right to participate before Examiner William A. Royall.

No. MC 76032 (Sub-No. 179), filed July 5, 1963. Applicant: NAVAJO

FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo. Applicant's attorney: Ken Wolford (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Village of Champ, Mo. (also known as Champ Industrial Village), as an off-route point in connection with applicant's authorized regular-route operations.

HEARING: July 29, 1963, at the New Federal Building, Room 1620, 1520 Market Street, St. Louis, Mo., before Joint Board No. 179, or, if the Joint Board waives its right to participate before Examiner William A. Royall.

No. MC 78632 (Sub-No. 118), filed July 1, 1963. Applicant: HOOVER MOTOR EXPRESS COMPANY, INC., Polk Avenue, Nashville, Tenn. Applicant's attorney: Reagen Sayers, Century Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), serving the village of Champ, Mo., also known as Champ Industrial Village, as an off-route point in connection with applicant's presently authorized regular routes.

NOTE: Common control may be involved.

HEARING: July 29, 1963, at the New Federal Building, Room 1620, 1520 Market Street, St. Louis, Mo., before Joint Board No. 179, or, if the Joint Board waives its right to participate before Examiner William A. Royall.

No. MC 98088 (Sub-No. 10), filed July 3, 1963. Applicant: LINDLEY TRUCKING SERVICE, INC., 1701 Grand Avenue, Granite City, Ill. Applicant's representative: R. C. Burgess, 1507 Papin Street, St. Louis 3, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods, as described by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving the Village of Champ, Mo. (also known as Champ Industrial Village) as an off-route point in connection with applicant's regular-route operations.

HEARING: July 29, 1963, at the New Federal Building, Room 1620, 1520 Market Street, St. Louis, Mo., before Joint Board No. 179, or, if the Joint Board waives its right to participate before Examiner William A. Royall.

No. MC 117119 (Sub-No. 91), filed May 23, 1963. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorneys: John H. Joyce, 26 North College, Fayetteville,

Ark., and A. Alvis Layne, Pennsylvania Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products*, from Wahoo, Nebr., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, New Mexico, Texas, South Carolina, North Carolina, Colorado, Tennessee, and Wyoming.

HEARING: September 4, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-7487; Filed, July 16, 1963;
8:52 a.m.]

[Notice 834]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 12, 1963.

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 65533. By order of July 9, 1963, Division 3, acting as an appellate division, approved the transfer and substitution of Miller Bros., Inc., 619 Sixth Avenue, Greeley, Colo., as applicant in the "claimed grandfather rights" proceeding seeking the issuance of a certificate of registration, filed December 23, 1963 on Form BOR 99, assigned Docket No. MC 98979 (Sub-No. 1), covering operations in interstate or foreign commerce under the former second proviso of section 206(a)(1) of the Act, supported by Colorado certificates Nos. 1321, 1321-I and 2251, pursuant to a form BMC 75 statement filed March 4, 1954, accepted March 8, 1954, in the name of Ivan Miller and Dwight Miller, a partnership, doing business as Miller Bros. Truck Line, Greeley, Colo., assigned Docket No. MC 98979, covering the transportation of: Property and freight, between specified points solely within the State of Colorado.

No. MC-FC 65588. By order of July 9, 1963, Division 3, acting as an appellate division, approved the transfer to Max Wrigg, doing business as Waterloo Freight Service, Waterloo, Nebr., of the "grandfather" rights claimed in a BOR-99 application filed in No. MC 120086 (Sub-No. 1), by Waterloo Transfer, Inc., Waterloo, Nebr., for a certificate of registration to operate in interstate or foreign commerce authorizing operations

under the former second proviso of section 206(a) in No. MC 120086 supported by Nebraska certificate No. MC 10532, authorizing the transportation of milk, over a regular route, from Waterloo to Fremont, and over irregular routes, to transport commodities generally, except high explosives and those requiring special equipment, between points within a 15-mile radius of Waterloo, Nebraska, and between points within said radial area, on the one hand, and, on the other, points in Nebraska, and to transport contractor's and construction equipment and machinery, materials and supplies, and commodities which by reason of their weight, size or length require special handling or equipment, between all points within a 20-mile radius of Waterloo, Nebr. Einar Viren, 904 City National Bank Building, Omaha 2, Nebr., attorney for applicants.

No. MC-FC 65616. By order of July 9, 1963, Division 3, acting as an appellate division, approved the transfer to Cotton Transfer, Inc., Ralston, Nebr., applicant in No. MC 121489 (Sub-No. 1), BOR-99 filed in the name of Harry A. Cotton, Ralston, Nebr., transferor, for certificate of registration to operate in interstate or foreign commerce authorizing operations under the former second proviso of section 206(a) (1) of the Act supported by Nebraska certificate No. M-6254, authorizing the transportation of commodities generally, except those requiring special equipment, over irregular routes from Omaha, Nebraska, and vicinity, to and from Omaha, Nebraska, and occasionally to points in the State at large within a 450-mile radius from Omaha, Nebr. Donald E. Leonard, 605 South 14th, Box 2028, Lincoln, Nebr., attorney for applicants.

No. MC-FC 65655. By order of July 9, 1963, Division 3, acting as an appellate division, approved the substitution of Harry L. Rothstein, Wilkes-Barre, Pa., as an applicant in No. MC 54698 (Sub-No. 2), BOR 99 filed in the name of Walter P. Shaver, Ruth H. Shaver, administratrix, for a certificate of registration to operate in interstate or foreign commerce authorizing operations under the former second proviso of section 206(a) (1) of the Act supported by Pennsylvania certificate of public convenience, as amended, authorizing transportation, as a Class D carrier, of merchandise, canned goods, produce and welding gases and oxygen, in tanks, for the Eastern Pennsylvania Storage, Inc., and its customers from the place of business of the said company in the city of Wilkes-Barre, Luzerne County, to points within 75 miles by the usually traveled highways of the limits of the said city, and the return of rejected and refused merchandise from points in the said territory to the place of business of the Eastern Pennsylvania Storage, Inc., in the said city, subject to certain conditions. Rosenn, Jenkins & Greenwald, and Leon Schwartz, Blue Cross Building, Wilkes-Barre, Pa., attorneys for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-7488; Filed, July 16, 1963;
8:52 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JULY 12, 1963.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MT-6869, filed June 19, 1963. Applicant: DeLUXE LINES, INC., 101 Luther Avenue, Post Office Box 1161, Syracuse, N.Y. Applicant's attorneys: MacKenzie, Smith, Lewis, Michell & Hughes, Onondaga County Savings Bank Building, Syracuse 2, N.Y. Certificate of public convenience and necessity sought to service, in connection with applicant's present authority, the off-route point of Balmat (an unincorporated community located within two-and-one-half (2½) miles of the hamlet of Fowler, an unincorporated community having no post office, situated on authorized route New York Highway 58 between Gouverneur and Fine). Applicant claims Balmat is an authorized point on its routes by virtue of order of the Commission in Case MT-7286 and requests dismissal.

HEARING: Date, time and place assigned for hearing application, not known.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the New York Public Service Commission, 55 Elk Street, Albany 1, N.Y., and should not be directed to the Interstate Commerce Commission.

State Docket No. B-8556, filed June 11, 1963. Applicant: HAMILTON EXPRESS, INC., 19 Goodwin Place, East Hartford, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Carrier presently holds authority to transport *general commodities including household goods and office furniture and equipment* but not including commodities which necessitate the use of dump trucks, tank trucks, or special equipment, between all points in Connecticut on call received at its headquarters in East Hartford, Connecticut. By this application applicant seeks authority to remove its headquarters from East Hartford, Connecticut to an adjacent town, South Windsor, Connecticut.

HEARING: August 21, 1963, at 10:00 a.m., in Room 565A, State Office Building, 165 Capitol Avenue, Hartford, Conn.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Connecticut Public Utilities Commission, 165 Capitol Avenue, Hartford, Conn., and should not be directed to the Interstate Commerce Commission.

State Docket No. 11,927M, filed May 21, 1963. Applicant: HERB DAVIES, doing business as DAVIES TRUCK LINE, 1184 Garfield Street, Topeka, Kans. Applicant's attorneys: Francis & Francis, 214 West Sixth, Topeka, Kans. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (except those of unusual value and dangerous explosives, livestock, 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 proposed routes, as set forth below. (1) Between Council Grove and Alta Vista, Kans., as follows: from Council Grove via U.S. Highway 56 to junction Kansas Highway 149, thence via Kansas Highway 149 to junction of Kansas Highway 4 and thence via Kansas Highway 4 to Alta Vista; (2) between Alma, Kans., and U.S. Highway 40 north of McFarland, Kans., as follows: from Alma, Kans., via Kansas Highway 99 to junction Kansas Highway 185 to McFarland, thence via Kansas Highway 185 to U.S. Highway 40; (3) from U.S. Highway 40 via Kansas Highway 138 to Paxico, Kans., and return over the same route; (4) from U.S. Highway 40 via Kansas Highway 30 to Maple Hill, Kans., and return over the same route; (5) to remove all restrictions against service between intermediate points between Alta Vista, Kans., and Topeka, Kans., on Kansas Highway 10 (now U.S. Highway 40) as provided by present certificate; (6) with service to, from and between all points on the proposed extension and between all points on the proposed extensions and all points on the present certificated authority; (7) also, alternate routes as follows: (a) Between Alta Vista, Kans., and the junction of Kansas Highway 99 and U.S. Highway 40 north of Alma, Kans., over following highways: from Alta Vista thence via Kansas Highway 13 to the junction of U.S. Highway 40, thence via U.S. Highway 40 to junction of Kansas Highway 99 north of Alma; (b) between Topeka, Kans. and Admire Junction at junction of Turnpike and U.S. Highway 56 via Kansas Turnpike. Applicant seeks to offer or perform no service on such alternate routes but seeks road rights only for operating convenience. Applicant seeks corresponding authority to operate in interstate or foreign commerce under section 206(a) (6) of the Interstate Commerce Act as amended October 15, 1962.

HEARING: September 5, 1963 at 10:00 a.m., in the State Office Building, Topeka, Kans.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Kansas State Corporation Commission, State Office Building,

Motor Carrier Division, Topeka, Kans., and should not be directed to the Interstate Commerce Commission.

State Docket No. 16421, filed June 25, 1963. Applicant: ESTES EXPRESS LINES, 1405 Gordon Avenue, Richmond, Va. Applicant's representative: John W. Pearsall, 1005 State-Planters Bank Building, Richmond 19, Va. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of property between the following described routes.

(1) Between the Virginia-North Carolina State line and the Richmond-Petersburg Turnpike in Petersburg, via Interstate Highway 95. (2) Between Virginia Highway 47 and U.S. Highways 1 and 58 via Virginia Highway 664. (3) Between Virginia Highway 49 and a point (2) two miles off of U.S. Highways 15 and 360, via Virginia Highway 646. (4) Between Victoria and Schoolfield, via Virginia Highway 662. Restriction: No freight shall be picked up or delivered at Fort Mitchell or within the terminal area of Meherrin or Green Bay. (5) Between Virginia Highway 49 and points outside the terminal area of Burkeville, via Virginia Highways 723 and 625, and any combination of them. (6) Between U.S. Highway 460 and points outside the terminal areas of Amelia and Mannboro and (2) two miles off Virginia Highways 38, 153 and 708 between Amelia and Mannboro via Virginia Highways 708, 611, 610, 612, 153, 614 and 625, in any combination. (7) Between Darvills and U.S. Highway 1, via Virginia Highway 613. (8) Between Dinwiddie and U.S. Highway 58, via Virginia Highways 619, 686 and 645. (9) Between Virginia Highway 40 and Virginia Highway 619, via Virginia Highway 626. (10) Between Virginia Highway 35 and U.S. Highway 460, via Virginia Highway 156. Restriction: No freight shall be picked up or delivered within (2) two miles of U.S. Highway 460. (11) Between Virginia Highway 35 and U.S. Highway 460 at Disputanta, via Virginia Highways 627 and 618. Restriction: No freight shall be picked up or delivered within the terminal area of Disputanta. (12) Between Virginia Highway 616 and U.S. Highway 460 at Windsor, via Virginia Highway 603 and U.S. Highway 258. Restriction: No freight shall be picked up or delivered within the terminal areas of Windsor. (13)

Between Virginia Highway 616 and Virginia Highway 646, via Virginia Highway 641. (14) Between U.S. Highway 360 and Virginia Highway 33, via Virginia Highway 156. (15) Between U.S. Highway 360 and Virginia Highway 33, via Virginia Highways 606 and 609. (16) Between Lester Manor and Virginia Highway 30, via Virginia Highways 633, 623 and 632, in any combination. (17) Between U.S. Highway 360 and Virginia Highway 2 (U.S. Highway 301), via Virginia Highways 600 and 601. Restriction: No freight shall be picked up or delivered along this route within (2) two miles of Virginia Highway 2 (U.S. Highway 301). (18) Between Virginia Highway 600 and U.S. Highway 17, via Virginia Highways 628, 625 and 642. (19) Between U.S. Highway 17 at Champlain and Virginia Highway 627, via Virginia Highways 635 and 631.

HEARING: September 10, 1963, at 10:00 a.m. (standard time), Blanton Building, Richmond, Va.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Virginia State Corporation Commission, Post Office Box 1197, Richmond 19, Va., and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-7489; Filed, July 16, 1963;
8:52 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 12, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38425: *Liquefied chlorine gas from Memphis, Tenn., to Franklin, Va.* Filed by O. W. South, Jr., Agent (No. A4346), for interested rail carriers. Rates on Liquefied chlorine gas, in tank-car loads, from Memphis, Tenn., to Franklin, Va.

Grounds for relief: Market competition.

Tariff: Supplement 132 to Southern Freight Association, Agent, tariff I.C.C. S-116.

FSA No. 38426: *Liquid caustic soda to Nixon, Ga.* Filed by O. W. South, Jr., Agent (No. A4347), for interested rail carriers. Rates on liquid caustic soda, in tank-car loads, from McIntosh, Ala., and Charleston, Tenn., to Nixon, Ga.

Grounds for relief: Market competition.

Tariffs: Supplements 89 and 132 to Southern Freight Association, Agent, tariffs I.C.C. S-194 and S-116, respectively.

FSA No. 38427: *Liquid caustic soda from Memphis, Tenn., to Nixon, Ga.* Filed by O. W. South, Jr., Agent (No. A4348), for interested rail carriers. Rates on liquid caustic soda, in tank-car loads, from Memphis, Tenn., to Nixon, Ga.

Grounds for relief: Market competition.

Tariff: Supplement 132 to Southern Freight Association, Agent, tariff I.C.C. S-116.

FSA No. 38428: *Liquefied chlorine gas from Evans City, Ala.* Filed by O. W. South, Jr., Agent (No. A4349), for interested rail carriers. Rates on liquefied chlorine gas, in tank-car loads, from Evans City, Ala., to points in Florida and Georgia.

Grounds for relief: Market competition.

Tariff: Supplement 89 to Southern Freight Association, Agent, tariff I.C.C. S-194.

FSA No. 38429: *Liquid caustic soda from Evans City, Ala.* Filed by O. W. South, Jr., Agent (No. A4350), for interested rail carriers. Rates on liquid caustic soda, in tank-car loads, from Evans City, Ala., to points in Georgia and Florida.

Grounds for relief: Market competition.

Tariff: Supplement 89 to Southern Freight Association, Agent, tariff I.C.C. S-194.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-7484; Filed, July 16, 1963;
8:51 a.m.]

CUMULATIVE CODIFICATION GUIDE—JULY

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