

FEDERAL REGISTER

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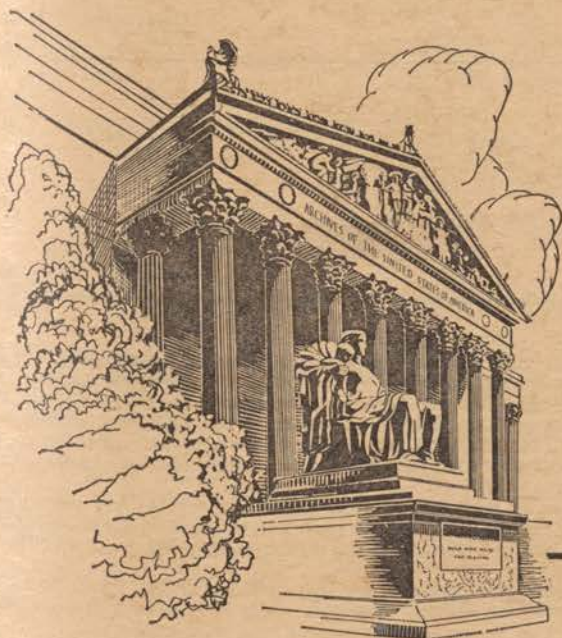
Thursday, July 18, 1968 • Washington, D.C.

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Agricultural Research Service
Agricultural Stabilization and
Conservation Service
Agriculture Department
Atomic Energy Commission
Commodity Credit Corporation
Consumer and Marketing Service
Federal Aviation Administration
Federal Crop Insurance Corporation
Federal Home Loan Bank Board
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
General Services Administration
Health, Education, and Welfare
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Interstate Commerce Commission
Labor Standards Bureau
Land Management Bureau
Maritime Administration
National Transportation Safety
Board
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Securities and Exchange Commission
State Department

Detailed list of Contents appears inside.



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of the

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Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

Subpart C—Judicial Proceedings

SERVICE OF PROCESS

Title 7, Subtitle A, Part 1, Subpart C, § 1.41 is hereby amended by adding the following new sentence:

§ 1.41 Service of process.

*** Any subpoena, summons, or other compulsory process requiring an officer or employee to give testimony, or to produce or disclose any record or material of the U.S. Department of Agriculture, shall be served on the officer or employee of the U.S. Department of Agriculture named in the subpoena, summons, or other compulsory process.

Effective date. This sentence shall become effective upon publication in the FEDERAL REGISTER.

Dated: July 12, 1968.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 68-8539; Filed, July 17, 1968; 8:47 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—European Chafer

Pursuant to sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), Notice of Quarantine No. 77 relating to the European chafer and regulations supplemental to said quarantine (7 CFR 301.77, 301.77-1, 301.77-2, 301.77-3 through 301.77-9), are hereby revised to read as follows:

QUARANTINE AND REGULATIONS

- | | |
|----------|--|
| Sec. | |
| 301.77 | Quarantine; restriction on interstate movement of specified regulated articles. |
| 301.77-1 | Definitions. |
| 301.77-2 | Authorization for Director to designate regulated areas and suppressive or generally infested areas; and articles which are exempt from certification and permit requirements. |
| 301.77-3 | Conditions governing the interstate movement of regulated articles from quarantined States. |
| 301.77-4 | Issuance and cancellation of certificates and permits. |
| 301.77-5 | Compliance agreements; and cancellation thereof. |

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| Sec. | |
| 301.77-6 | Assembly and inspection of regulated articles. |
| 301.77-7 | Attachment and disposition of certificates or permits. |
| 301.77-8 | Inspection and disposal of regulated articles and pests. |
| 301.77-9 | Movement of live European chafers. |
| 301.77-10 | Nonliability of the Department. |

AUTHORITY: The provisions of this subpart issued under secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended, 30 F.R. 5799, as amended.

§ 301.77 Quarantine; restriction on interstate movement of specified regulated articles.

(a) **Notice of quarantine.** Pursuant to the provisions of sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the Secretary of Agriculture has determined, after public hearing, that it is necessary to quarantine the States of Connecticut, Massachusetts, New York, and Pennsylvania in order to prevent the spread of the European chafer, *Amphimallon majalis* (Razoumowsky), a dangerous insect injurious to cultivated crops, lawns, and pastures, and not heretofore widely prevalent or distributed within and throughout the United States. Under the authority of said provisions, the Secretary hereby quarantines the States of Massachusetts and Pennsylvania and continues to quarantine the other specified States with respect to the interstate movement from the quarantined States of the articles described in paragraph (b) of this section, issues the regulations in this subpart governing such movement, and gives notice of said quarantine and regulations.

(b) **Quarantine restrictions on interstate movement of specified regulated articles.** No common carrier or other person shall move interstate from any quarantined State any of the following articles (defined in § 301.77-1(n) as regulated articles), except in accordance with the conditions prescribed in this subpart:

- (1) Soil, compost, decomposed manure, humus, muck, and peat, separately or with other things.
- (2) Plants with roots except soil-free aquatic plants, moss, and Lycopodium (clubmoss or ground-pine or running pine).
- (3) Grass sod.
- (4) Plant crowns and roots for propagation.
- (5) True bulbs, corms, rhizomes, and tubers, of ornamental plants when freshly harvested or uncured.
- (6) Used mechanized soil-moving equipment.

(7) Any other products, articles or means of conveyance, of any character whatsoever, not covered by subparagraphs (1) through (6) of this paragraph, when it is determined by an inspector that they present a hazard of spread of European chafer and the person in possession thereof has been so notified.

§ 301.77-1 Definitions.

Terms used in the singular form in this subpart shall be deemed to import the plural, and vice versa, as the case may demand. The following terms, when used in this subpart, shall be construed, respectively, to mean:

(a) **Certificate.** A document issued or authorized to be issued under this subpart by an inspector to allow the interstate movement of regulated articles to any destination.

(b) **Compliance agreement.** A written agreement between a person engaged in growing, handling, or moving regulated articles, and the Plant Pest Control Division, wherein the former agrees to comply with the requirements of this subpart identified in the agreement by the inspector who executes the agreement on behalf of the Division as applicable to the operations of such person.

(c) **Director.** The Director of the Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, or any other officer or employee of said Service to whom authority to act in his stead has been or may hereafter be delegated.

(d) **European chafer.** The insect known as the European chafer (*Amphimallon majalis* (Razoumowsky)) in any stage of development.

(e) **Generally infested area.** Any part of a regulated area not designated as a suppressive area in accordance with § 301.77-2.

(f) **Infestation.** The presence of the European chafer or the existence of circumstances that make it reasonable to believe that the European chafer is present.

(g) **Inspector.** Any employee of the Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, or other person, authorized by the Director to enforce the provisions of the quarantine and regulations in this subpart.

(h) **Interstate.** From any State, territory or district into or through any other State, territory or district of the United States (including Puerto Rico).

(i) **Limited permit.** A document issued or authorized to be issued by an inspector to allow the interstate movement of non-certifiable regulated articles to a specified destination for limited handling, utilization, or processing or for treatment.

(j) *Mechanized soil-moving equipment.* Mechanized equipment used to move or transport soil—e.g., draglines, bulldozers, road scrapers, and dump-trucks.

(k) *Moved (movement, move).* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any means. "Movement" and "move" shall be construed accordingly.

(l) *Person.* Any individual, corporation, company, society, or association, or other organized group of any of the foregoing.

(m) *Regulated area.* Any quarantined State or any portion thereof, listed as a regulated area in § 301.77-2a or otherwise designated by the Director in accordance with § 301.77-2(a).

(n) *Regulated articles.* Any articles described in § 301.77(b).

(o) *Restricted destination permit.* A document issued or authorized to be issued by an inspector to allow the interstate movement of regulated articles not certifiable under all applicable Federal domestic plant quarantines to a specified destination for other than scientific purposes.

(p) *Scientific permit.* A document issued by the Director to allow the interstate movement to a specified destination of regulated articles for scientific purposes.

(q) *Soil.* That part of the upper layer of earth in which plants can grow.

(r) *Suppressive area.* That part of a regulated area where eradication of infestation is undertaken as an objective, as designated by the Director under § 301.77-2(a).

(s) *Treatment manual.* The provisions currently contained in the "Manual of Administratively Authorized Procedures to be Used Under the European Chafer Quarantine", the manual of "Procedures for Applying Soil, Surface and Foliage Treatments for Regulatory Purposes" and the "Fumigation Procedures Manual", and any amendments thereto.¹

§ 301.77-2 Authorization for Director to designate regulated areas and suppressive or generally infested areas; and articles which are exempt from certification and permit requirements.

The Director shall publish and amend from time to time as the facts warrant, the following lists:

(a) *List of regulated areas and suppressive or generally infested areas.* The Director shall list as regulated areas in a supplemental regulation designated as § 301.77-2a, the quarantined States, or portions thereof, in which European chafer has been found, or in which there is reason to believe that European chafer is present, or which it is deemed neces-

sary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. The Director, in the supplemental regulation, may divide any regulated area into a suppressive area and a generally infested area in accordance with the definitions thereof in § 301.77-1. Less than an entire quarantined State will be designated as a regulated area only if the Director is of the opinion that:

(1) The State has adopted and is enforcing a quarantine or regulation which imposes restrictions on the intrastate movement of the regulated articles which are substantially the same as those which are imposed with respect to the interstate movement of such articles under this subpart; and

(2) The designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the European chafer. The Director may temporarily designate any other premises in a quarantined State as a regulated area, and a suppressive area in accordance with the criteria specified above for listing regulated and suppressive areas, by serving written notice thereof on the owner or person in possession of such premises, and thereafter the interstate movement of regulated articles from such premises by any person having notice of this designation shall be subject to the applicable provisions of this subpart. As soon as practicable, such premises shall be added to the list in § 301.77-2a if a basis then exists for their designation.

(b) *List of articles which are exempt from certification and permit requirements.* The Director may, in a supplemental regulation designated as § 301.77-2b, list regulated articles which shall be exempt from the certification and permit requirements of this subpart under such conditions as he may prescribe, if he finds that facts exist as to the pest risk involved in the movement of such regulated articles which make it safe to so relieve such requirements.

§ 301.77-3 Conditions governing the interstate movement of regulated articles from quarantined States.²

Any regulated articles may be moved interstate from any quarantined State under the following conditions:

(a) From any regulated area, with certificate or permit issued and attached in accordance with §§ 301.77-4 and 301.77-7 if moved;

(1) From any regulated area into or through any point outside of the regulated areas; or

(2) From any generally infested area into or through any suppressive area; or

(3) Between any noncontiguous suppressive areas; or

(4) Between contiguous suppressive areas when it is determined by the inspector that the regulated articles present a hazard of the spread of the European chafer and the person in pos-

session thereof has been so notified; or

(b) From any regulated area without certificate or permit if moved:

(1) Under the provisions of § 301.77-2b which exempts certain articles from certification and permit requirements; or

(2) From a generally infested area to a contiguous generally infested area; or

(3) From a suppressive area to a contiguous generally infested area; or

(4) Between contiguous suppressive areas unless the person in possession of the articles has been notified by an inspector that a hazard of spread of the European chafer exists; or

(5) Through or reshipped from any regulated area if the articles originated outside of any regulated area and if the point of origin of the articles is clearly indicated, their identity has been maintained and they have been safeguarded against infestation while in the regulated area in a manner satisfactory to the inspector.

(c) From any area outside the regulated areas, without a certificate or permit if the regulated articles are exempt under the provisions of § 301.77-2b or if the point of origin of such movement is clearly indicated on the articles or shipping document which accompanies the articles, and if the movement is not made through a regulated area.

§ 301.77-4 Issuance and cancellation of certificates and permits.

(a) Certificates may be issued for any regulated articles by an inspector if he determines that they are eligible for certification for movement to any destination under all Federal domestic plant quarantines applicable to such articles and:

(1) Have originated in noninfested premises in a regulated area and have not been exposed to infestation while within the regulated areas; or

(2) Upon examination, have been found to be free of infestation; or

(3) Have been treated to destroy infestation in accordance with the treatment manual; or

(4) Have been grown, produced, manufactured, stored, or handled in such manner that no infestation would be transmitted thereby.

(b) Limited permits may be issued by an inspector to allow interstate movement of regulated articles, not eligible for certification under this subpart, to specified destinations for limited handling, utilization, or processing, or for treatment in accordance with the treatment manual, when upon evaluation of the circumstances involved in each specific case he determines that such movement will not result in the spread of European chafers and requirements of other applicable Federal domestic plant quarantines have been met.

(c) Restricted destination permits may be issued by an inspector to allow the interstate movement of regulated articles to any destination permitted under all applicable Federal domestic plant quarantines (for other than scientific purposes) if such articles are not eligible for certification under all

¹ Pamphlets containing such provisions are available upon request from the Director, Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md. 20782, or from an inspector.

² Requirements under all other applicable Federal domestic plant quarantines must also be met.

such quarantines but would otherwise qualify for certification under this subpart.

(d) Scientific permits may be issued by the Director to allow the interstate movement of regulated articles for scientific purposes under such conditions as may be prescribed in each specific case by the Director.

(e) Certificate, limited permit, and restricted destination permit forms may be issued by an inspector to any person for use by the latter for subsequent shipments provided such person is operating under a compliance agreement; and any such person may be authorized by an inspector to reproduce such forms on shipping containers or otherwise. Any such person may use the certificate forms, or reproductions of such forms, for the interstate movement of regulated articles from the premises of such person identified in the compliance agreement if such person has made appropriate determinations as specified in paragraph (a) of this section with respect to such articles. Any such person may use the limited permit forms, or reproductions of such forms, for interstate movement of regulated articles to specific destinations authorized by the inspector in accordance with paragraph (b) of this section. Any such person may use the restricted destination permit forms, or reproductions of such forms, for the interstate movement of regulated articles not eligible for certification under all Federal domestic plant quarantines applicable to such articles, under the conditions specified in paragraph (c) of this section.

(f) Any certificate or permit which has been issued or authorized may be withdrawn by the inspector if he determines that the holder thereof has not complied with any condition for the use of such document imposed by this subpart.

§ 301.77-5 Compliance agreements; and cancellation thereof.

(a) Any person engaged in the business of growing, handling, or moving regulated articles may enter into a compliance agreement to facilitate the movement of such articles under this subpart. Compliance agreement forms may be obtained from the Director or an inspector.

(b) Any compliance agreement may be canceled by the inspector who is supervising its enforcement whenever he finds, after notice and reasonable opportunity to present views has been accorded to the other party thereto, that such other party has failed to comply with the conditions of the agreement.

§ 301.77-6 Assembly and inspection of regulated articles.

Persons (other than those authorized to use certificates, limited permits, or restricted destination permits, or reproductions thereof, under § 301.77-4(e)) who desire to move interstate regulated articles which must be accompanied by a certificate or permit shall, as far in advance as possible, request an inspector

to examine the articles prior to movement. Such articles shall be assembled at such points and in such manner as the inspector designates to facilitate inspection.

§ 301.77-7 Attachment and disposition of certificates or permits.

(a) If a certificate or permit is required for the interstate movement of regulated articles, the certificate or permit shall be securely attached to the outside of the container in which such articles are moved, except that, where the certificate or permit is attached to the waybill or other shipping document, and the regulated articles are adequately described on the certificate, permit, or shipping document, the attachment of the certificate or permit to each container of the articles is not required.

(b) In all cases, certificates or permits shall be furnished by the carrier to the consignee at the destination of the shipment.

§ 301.77-8 Inspection and disposal of regulated articles and pests.

Any properly identified inspector is authorized to stop and inspect, and to seize, destroy, or otherwise dispose of, or require disposal of regulated articles and European chafers, as provided in section 10 of the Plant Quarantine Act (7 U.S.C. 164a) and section 105 of the Plant Pest Act (7 U.S.C. 150dd) in accordance with instructions issued by the Director.

§ 301.77-9 Movement of live European chafers.

Regulations requiring a permit for, and otherwise governing the movement of, live European chafers in interstate or foreign commerce are contained in the Federal Plant Pest Regulations in Part 330 of this chapter. Applications for permits for the movement of the pest may be made to the Director.

§ 301.77-10 Nonliability of the Department.

The U.S. Department of Agriculture disclaims liability for any costs incident to inspections or compliance with the provisions of the quarantine and regulations in this subpart, other than for the services of the inspector.

This revision shall become effective upon publication in the FEDERAL REGISTER, when it shall supersede the notice of quarantine and regulations effective May 8, 1965.

Pursuant to a notice of hearing and rule making published in the FEDERAL REGISTER on November 21, 1966 (31 F.R. 14990), a public hearing was held in Boston, Mass., on December 14, 1966, regarding quarantining Massachusetts, New Jersey, Ohio, and Pennsylvania on account of the European chafer. After due consideration of all relevant matters presented at the hearing and in response to the notice it has been decided to add Massachusetts and Pennsylvania to the list of States quarantined because of the European chafer. It has been decided not to add New Jersey and Ohio to the list of quarantined States at this time

because of the cooperative Federal-State treatment program being conducted and both States are enforcing quarantine regulations comparable to those enforced under a Federal quarantine.

In addition this revision simplifies and clarifies the European chafer quarantine and regulations. The only other substantive changes made are as follows:

Provision is made for the Director temporarily to designate any premises in a quarantined State as a regulated area by serving written notice thereof on the owner or person in possession of such premises. The list of regulated articles has been revised to exclude certain articles which are not considered to be hazardous due to the manner in which they are handled. The revision contains provisions with respect to compliance agreements with persons handling regulated articles. A requirement is added for persons moving regulated articles from portions of quarantined States not included within the "regulated areas" to provide proof of origin in connection with such shipments. Provisions are also added under which certificates will not be issued or authorized to be issued for regulated articles unless the articles are certifiable under all applicable Federal domestic plant quarantine requirements; restricted destination permits are authorized and all certificates or permits are required to be surrendered to the consignee at the destination of the shipments.

To the extent that this revision relieves certain restrictions presently imposed, it should be made effective promptly in order to be of maximum benefit to persons subject to the restrictions which are being relieved. To the extent that this revision imposes restrictions that are necessary in order to prevent the dissemination of the European chafer, it should be made effective promptly to accomplish its purpose in the public interest. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 12th day of July 1968.

[SEAL] R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 68-8555; Filed, July 17, 1968; 8:48 a.m.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—European Chafer

REGULATED AREAS

Under the authority of § 301.77-2 of the European Chafer Quarantine regulations, 7 CFR 301.77-2, as amended, 33 F.R. 10274, a supplemental regulation designating regulated areas is hereby issued to appear in 7 CFR 301.77-2a, as follows:

§ 301.77-2a Regulated areas.

The civil divisions, and parts of civil divisions described below, in the quarantined States, are designated as European chafer regulated areas within the meaning of the provisions in this subpart:

CONNECTICUT

Hartford County. The towns of Berlin and Southington.

New Haven County. The town of Meriden.

MASSACHUSETTS

Essex County. The towns of Lynnfield and Saugus, and the city of Lynn.

Middlesex County. The towns of Arlington, Belmont, Stoneham, Wakefield, and Winchester, and the cities of Cambridge, Everett, Malden, Medford, Melrose, Somerville and Woburn.

Suffolk County. That portion of the city of Boston lying north of the Charles River known as Charlestown and East Boston, and the cities of Chelsea and Revere.

NEW YORK

Albany County. The towns of Bethlehem, Colonie, and Guilderland.

Bronx County. The entire county.

Broome County. The town of Union and the city of Binghamton.

Cayuga County. The towns of Aurelius, Brutus, Cato, Conquest, Ira, Montezuma, Sennett, Sterling, Throop, and Victory, and the city of Auburn.

Chemung County. The towns of Ashland, Big Flats, Chemung, Elmira, Horseheads, Southport, and Veteran, and the city of Elmira.

Chenango County. The town and city of Norwich.

Cortland County. The town of Cortlandville and the city of Cortland.

Erie County. The towns of Amherst, Cheektowaga, Clarence, Grand Island, Lancaster, and Tonawanda, and the cities of Buffalo, Lackawanna, and Tonawanda.

Genesee County. The towns of Batavia, Bergen, and Le Roy, and the city of Batavia.

Herkimer County. The town and city of Herkimer.

Jefferson County. The towns of Ellisburg and Watertown, and the city of Watertown.

Kings County. The entire county.

Livingston County. The towns of Caledonia and York.

Madison County. The town of Sullivan.

Monroe County. The entire county.

Montgomery County. The towns of Glen and Mohawk.

New York County. Governors Island.

Niagara County. The towns of Cambria, Lewistown, Lockport, Newfane, Niagara, Pendleton, Porter, Wheatfield, and Wilson, and the cities of Lockport Niagara Falls, and North Tonawanda.

Oneida County. The towns of Marcy, New Hartford, and Whitestown, and the city of Utica.

Onondaga County. The towns of Camillus, Cicero, Clay, De Witt, Elbridge, Geddes, Lysander, Manlius, Marcellus, Onondaga, Salina, Skaneateles, and Van Buren, and the city of Syracuse.

Ontario County. Towns of Canandaigua, East Bloomfield, Farmington, Geneva, Gorham, Hopewell, Manchester, Phelps, Seneca, Victor, and West Bloomfield, and the cities of Canandaigua and Geneva.

Orleans County. The towns of Albion, Gaines, and Murray.

Oswego County. The towns of Granby, Hannibal, Hastings, New Haven, Oswego, Richland, Schroepfel, and Scriba, and the cities of Fulton and Oswego.

Richmond County. The entire county (Staten Island).

Schenectady County. The town of Glenville.

Schuyler County. The towns of Dix, Hector, Montour, Reading, and Tyrone.

Seneca County. The towns of Fayette, Junius, Seneca Falls, and Tyre, the village and town of Waterloo, and the city of Seneca Falls.

Tioga County. The town of Barton.

Wayne County. The entire county.

Westchester County. The town of Greenburgh and the city of Yonkers.

Yates County. The towns of Milo, Starkey, and Torrey.

PENNSYLVANIA

Bradford County. The township of Athens; and the boroughs of Athens, Sayre, and South Waverly.

Carbon County. The townships of Franklin and Mahoning, and the boroughs of Lehigh and Weissport.

Erie County. The townships of Harborcreek, Lawrence Park, Millcreek, and North East; and the boroughs of Lake City, North East, and Wesleyville; and the city of Erie.

Lackawanna County. The city of Scranton.

Lehigh County. The township of Whitehall; and the boroughs of Catasauqua and Coplay, and the city of Allentown.

Luzerne County. The borough of Duryea.

Lycoming County. The city of Williamsport.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 7 CFR 301.77-2)

This supplemental regulation shall become effective upon publication in the FEDERAL REGISTER, when it shall supersede the administrative instructions contained in 7 CFR 301.77-2a (P.P.C. 613, 7th Revision) effective March 17, 1966.

The Director of the Plant Pest Control Division has determined that infestations of the European chafer exist or are likely to exist in the civil divisions, and parts of civil divisions listed above, or that it is necessary to regulate such areas because of their proximity to European chafer infestations or their inseparability for quarantine enforcement purposes from European chafer infested localities. The Director has further determined that each of the quarantined States is enforcing a quarantine or regulation with restrictions on intrastate movement of the regulated articles substantially the same as the restrictions on interstate movement of such articles imposed by the quarantine and regulations in this subpart, and that designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the European chafer. Accordingly, such civil divisions, and parts of civil divisions listed above, are designated as European chafer regulated areas.

The Director has determined that conditions do not warrant a division of the regulated areas into suppressive areas and generally infested areas. Therefore, provisions in this subpart referring to such division are at present inoperative.

This supplemental regulation adds parts of three counties in the newly regulated State of Massachusetts and parts of seven counties in the newly regulated State of Pennsylvania as regulated areas. In New York, parts of Albany, Jefferson, Madison, Montgomery, Orleans, Schenectady, Tioga, and Westchester Counties, and all of Bronx County have been

added as newly regulated areas. It also extends the existing regulated areas in Cayuga, Chemung, Erie, Genesee, Livingston, Onondaga, Oswego, Schuyler, and Yates Counties, in New York.

This document imposes restrictions that are necessary in order to prevent the dissemination of European chafers, and should be made effective promptly to accomplish its purpose in the public interest. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. section 553, that notice and other public procedure with respect to the foregoing regulation are impracticable and contrary to the public interest and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 12th day of July 1968.

[SEAL]

J. F. SPEARS,
Acting Director,
Plant Pest Control Division.

[F.R. Doc. 68-8556; Filed, July 17, 1968; 8:48 a.m.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—European Chafer

EXEMPTIONS

Under authority of § 301.77-2 of the European chafer quarantine regulations (7 CFR 301.77-2, as amended, 33 F.R. 10274), a supplemental regulations exempting certain articles from specified requirements of the regulations is hereby issued to appear in 7 CFR 301.77-2b as set forth below. The Director of the Plant Pest Control Division has found that facts exist as to the pest risk involved in the movement of such articles which make it safe to relieve the requirements as provided therein.

§ 301.77-2b Exempted articles.

(a) The following articles are exempt¹ from the certification and permit requirements of this subpart if they meet the applicable conditions prescribed in subparagraphs (1) through (3) of this paragraph and have not been exposed to infestation after cleaning or other handling as prescribed in said subparagraphs:

(1) Compost, decomposed manure, humus, and peat, if dehydrated, ground, pulverized, or compressed;

(2) True bulbs, corms, rhizomes, and tubers (other than clumps of dahlia tubers) of ornamental plants, if free of soil;

(3) Used mechanized soil-moving equipment, if cleaned and repainted.

(b) The following articles are exempt from the certification and permit requirements of this subpart under the

¹ The articles hereby exempted remain subject to applicable restrictions under other quarantines.

applicable conditions prescribed in subparagraphs (1) and (2) of this paragraph:

(1) Soil samples of any size if collected, and shipped to any U.S. Army Corps of Engineers soil laboratory located within the conterminous United States, in accordance with a compliance agreement with the shipper pertaining to such consignments;

(2) Soil samples of 1 pound or less which are packaged so that no soil will be spilled in transit, and are consigned to a laboratory approved by the Director for such purpose: *Provided*, That soil samples originating in areas under Federal or State regulation because of infestation with soybean cyst nematode, golden nematode, or witchweed are not exempted; *And provided further*, That soil samples originating in areas under such regulation because of the burrowing nematode may not be shipped into the States of Arizona, California, Louisiana, or Texas. One pound samples meeting the requirements set forth above may be assembled in a single package for shipping purposes.²

(Secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 7 CFR 301.77-2)

This list of exempted articles shall become effective upon publication in the *FEDERAL REGISTER* when it shall supersede the list of exempted articles in 7 CFR 301.77a (PPC 614, 3d Revision) which became effective March 15, 1966.

The principal purpose of this document is to add used mechanized soil-moving equipment if cleaned and repainted to the list of exempted articles, and to delete from said list, plants if growing exclusively in *Osmunda* fiber or chipped or shredded bark; soil-free moss, clubmoss and ground-pine or running pine; soil-free aquatic plants; and soil-free rooted cuttings, which, at the time of shipment, have not developed a root system sufficient to conceal larvae of the European chafer. Soil-free aquatic plants, moss, and *Lycopodium* (clubmoss or ground-pine or running pine) are no longer regulated articles. Plants, if growing exclusively in *Osmunda* fiber or chipped or shredded bark, and the soil-free rooted cuttings are no longer exempt since the destination inspector cannot determine the status of the articles by inspection. The document also makes nonsubstantive changes in the listing of previously exempted articles.

This document relieves certain restrictions which are not deemed necessary to prevent the interstate spread of the European chafer and imposes other restrictions which are deemed necessary

² Any laboratory is eligible for approval by the Director for purposes of this paragraph if it is operated under a compliance agreement as defined in § 301.77-1(b). A notice listing approved laboratories will be published periodically in the *FEDERAL REGISTER*. Copies of the current list may also be obtained from the Director, Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md. 20782, or from an inspector.

for this purpose. It should be made effective promptly in order to be of maximum benefit to persons subject to the restrictions being relieved and to protect the noninfested States from European chafer. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this document are impracticable and unnecessary and good cause is found for making it effective less than 30 days after publication in the *FEDERAL REGISTER*.

Done at Hyattsville, Md., this 12th day of July 1968.

[SEAL]

J. F. SPEARS,
Acting Director,
Plant Pest Control Division.

[F.R. Doc. 68-8554; Filed, July 17, 1968;
8:48 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 11]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

SUGARCANE ENDORSEMENT; CORRECTION

In the above-named document [F.R. Doc. 68-6543] which was published on June 4, 1968 (33 F.R. 8265), the section entitled "*Meaning of terms*" was numbered "8" and the section entitled "*Cancellation and termination for indebtedness dates*" was numbered "9". These numbers should be changed to "7" and "8" respectively.

[SEAL]

MORRIE S. HILL,
Acting Secretary, Federal
Crop Insurance Corporation.

[F.R. Doc. 68-8524; Filed, July 17, 1968;
8:46 a.m.]

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

PART 842—BEET SUGAR AREA

1968 and Subsequent Crops

Correction

In F.R. Doc. 68-7863 appearing at page 9586 in the issue of Tuesday, July 2, 1968, the following changes should be made in § 842.2(c):

1. Insert the center heading "Sutter" after the fifth line under the center heading "Solano".

2.a. The fourth line under the center heading "Sutter" should read: "T. 17 N., Rs. 2 and W $\frac{1}{4}$ 3 E."

2.b. The sixth line under the center heading "Sutter" should read: "NW $\frac{1}{4}$ 1, 2, 3, and 4 E.; T. 13 N., Rs. W $\frac{1}{4}$ 1."

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

[Valencia Orange Reg. 248]

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

Limitation of Handling

§ 908.548 Valencia Orange Regulation 248.

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

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

hereof. Such committee meeting was held on July 16, 1968.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period July 19, 1968, through July 25, 1968, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 300,000 cartons;
- (iii) District 3: unlimited movement.

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

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

Dated: July 17, 1968.

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

[F.R. Doc. 68-8654; Filed, July 17, 1968;
11:22 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agri- culture

[Milk Order 32]

PART 1032—MILK IN SOUTHERN ILLINOIS MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Southern Illinois marketing area (7 CFR Part 1032), it is hereby found and determined that:

(a) The following provision of the order does not tend to effectuate the declared policy of the Act for the month of July 1968.

(1) In § 1032.14(b)(2) the phrase "during the months of May and June and in any other month for not more than 8 days of production of producer milk by such producer."

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) In response to a notice of proposed suspension of the aforesaid provision (issued June 21, 1968, 33 F.R. 9407), cooperative associations representing 80 percent of producers on the market requested that the provision be suspended for the month of July 1968. Said associations stated that this action is necessary to provide for efficient handling of reserve milk of the market.

(4) This suspension action is necessary to provide for the efficient handling of reserve milk of the market during the month of July 1968. The volume of milk needed to be moved to milk manufacturing plants exceeds the quantity which could be moved under the limitations of the diversion provision in the order. The most efficient method of handling is movement direct from producers' farms to milk manufacturing plants. This suspension order would allow such handling while the dairy farmers involved retain producer status.

Therefore, good cause exists for making this order effective July 1, 1968.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of July 1968.

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

Effective date: July 1, 1968.

Signed at Washington, D.C., on July 15, 1968.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 68-8557; Filed, July 17, 1968;
8:49 a.m.]

[Milk Order 68]

PART 1068—MILK IN THE MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Minneapolis-St. Paul, Minn., marketing area (7 CFR Part 1068), it is hereby found and determined that:

(a) The following provision of the order no longer tends to effectuate the declared policy of the Act for the months of August, September, and October 1968 and is hereby suspended for such months: "not less than 30 percent of the total" as it appears in the second proviso of § 1068.9(b), relating to standards required to qualify a cooperative supply plant for pool status.

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension will permit all the milk of producer members of a cooperative association which is shipped directly from the farm to bottling plants located in the cities of Minneapolis or St. Paul to be assigned to country plants operated by such association for the purpose of meeting the shipping requirements of a pool supply plant during August, Sep-

tember, and October 1968. The order presently provides that at least 30 percent of the member milk must be direct-shipped to plants in Minneapolis or St. Paul before any of it may be assigned to country plants for this purpose.

(4) This suspension action was requested by a cooperative association whose members comprise a large majority of producers serving the Minneapolis-St. Paul market. The suspension action is supported by seven other cooperative associations on the market. At a hearing convened in Minneapolis, Minn., on June 25, 1968 (Docket No. AO-178-A23), to consider this and other issues, witnesses testified that emergency action in the form of a suspension order is necessary to maintain orderly marketing conditions pending the time when an amended order can be issued. No testimony was offered on the record in opposition to this request. Since interested parties have until August 10, 1968, to file briefs, proposed findings and conclusions based upon the evidence received at the hearing, it is not possible to effectuate an amended order by August 1, 1968.

(5) This suspension order will continue for the months of August, September, and October 1968 the effect of a prior suspension order for the same period of 1967. The previous suspension action was taken to permit an association of producers supplying the market to continue marketing and pooling milk regularly associated with the market on the most efficient and economical basis. Since the same conditions that prompted the previous suspension order continue to prevail, this order effective for the months of August, September, and October 1968 is warranted pending amendatory action on this order based upon the hearing.

Therefore, good cause exists for making this order effective August 1, 1968.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the months of August, September, and October 1968.

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

Effective date: August 1, 1968.

Signed at Washington, D.C., on July 15, 1968.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 68-8558; Filed, July 17, 1968;
8:49 a.m.]

[Milk Order 90]

PART 1090—MILK IN CHATTANOOGA, TENN., MARKETING AREA

Order Terminating Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Chattanooga, Tenn., marketing area (7 CFR Part 1090), it is hereby found and determined that:

(a) The following provisions in § 1090.44 of the order no longer tend to effectuate the declared policy of the Act:

(1) Paragraph (c) in its entirety, and
(2) In the introductory text of paragraph (d) the language "located less than 250 miles, by the shortest hard-surfaced highway distance as determined by the market administrator, from the City Hall in Chattanooga, Tennessee."

(b) Thirty days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This termination order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This termination order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) The provisions being terminated relate to the classification of milk or skim milk transferred or diverted from pool plants to nonpool plants located 250 miles or more from Chattanooga. The order now provides that milk or skim milk so transferred or diverted in bulk form shall be classified as Class I milk regardless of ultimate use. Termination of these provisions will result in the classification being based on the utilization at the nonpool plant. This is the same basis now used in classifying similar transfers or diversions to nonpool plants located less than 250 miles from Chattanooga.

Tennessee Valley Milk Producers, which represents about 75 percent of the producers in the Chattanooga market, requested the termination to facilitate the orderly disposal of surplus milk. The closing of nearby milk manufacturing plants and the availability of distant manufacturing outlets for surplus milk warrants this action.

(4) Interested parties were afforded opportunity to file written data, views, or arguments concerning this termination (33 F.R. 9662). None were filed in opposition to the proposed termination.

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provisions of the order are hereby terminated.

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

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 15, 1968.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 68-8559; Filed, July 17, 1968; 8:49 a.m.]

[Milk Order 98]

PART 1098—MILK IN NASHVILLE, TENN., MARKETING AREA

Order Terminating Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of

1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Nashville, Tenn., marketing area (7 CFR Part 1098), it is hereby found and determined that:

(a) The following provisions in § 1098.44 of the order no longer tend to effectuate the declared policy of the Act:

(1) Paragraph (c) in its entirety, and
(2) In the introductory text of paragraph (d) the language "located less than 250 miles by the shortest hard-surfaced highway distance as determined by the market administrator, from the State Capitol at Nashville, Tennessee."

(b) Thirty days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This termination order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This termination order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) The provisions being terminated relate to the classification of milk transferred or diverted from pool plants to nonpool plants located 250 miles or more from Nashville. The order now provides that milk, skim milk or cream so transferred or diverted in bulk form shall be classified as Class I milk regardless of ultimate use. Termination of these provisions will result in the classification being based on the utilization at the nonpool plant. This is the same basis now used in classifying similar transfers or diversions to nonpool plants located less than 250 miles from Nashville.

Nashville Milk Producers, which represents over 90 percent of the producers in the Nashville market, requested the termination to facilitate the orderly disposal of surplus milk. The closing of nearby milk manufacturing plants and the availability of distant manufacturing outlets for surplus milk warrants this action.

(4) Interested parties were afforded opportunity to file written data, views or arguments concerning this termination (33 F.R. 9662). None were filed in opposition to the proposed termination.

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provisions of the order are hereby terminated.

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

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 15, 1968.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 68-8560; Filed, July 17, 1968; 8:49 a.m.]

Chapter XVI—Consumer and Marketing Service (Food Stamp Program), Department of Agriculture

PART 1601—PARTICIPATION OF STATE AGENCIES AND ELIGIBLE HOUSEHOLDS

Plans of Operation

Section 1601.8, paragraph (b) (5), relating to the availability of records for review or audit by C&MS or the Department for 3 years following the close of the Federal fiscal year to which they pertain, is amended to provide that Authorization to Purchase cards may be destroyed 1 year following the Federal fiscal year to which they pertain: *Provided*, That a list containing the name, address and case number of the household, amount of purchase requirement and total coupon allotment, and the expiration date and transaction date of the Authorization to Purchase cards redeemed each month is available for review and audit by C&MS or the Department for 3 years following the close of the Federal fiscal year to which they pertain: *And provided further*, That executed Authorization to Purchase cards shall not be so destroyed when the State agency has been instructed in writing by C&MS or the Department to retain the documents. As amended, § 1601.8, paragraph (b) (5), reads as follows:

§ 1601.8 Plans of operation.

(b) * * * (5) agree that such program records shall be available for review or audit by C&MS or the Department for a period of 3 years following the close of the Federal fiscal year to which they pertain; except, that State agencies or project areas using Authorization to Purchase cards, may destroy such signed and executed cards 1 year following the close of the Federal fiscal year, to which they pertain: *Provided*, That a list containing the name, address, and case number of the household, amount of purchase requirement and total coupon allotment, and the expiration date and transaction date of the Authorization to Purchase cards redeemed each month is available for review and audit by C&MS or the Department for a period of 3 years following the close of the Federal fiscal year to which they pertain: *And provided further*, That executed Authorization to Purchase cards shall not be so destroyed when the State agency has been instructed in writing by C&MS or the Department to retain the documents; * * *

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

JOHN A. SCHNITTKER,
Under Secretary.

JULY 15, 1968.

[F.R. Doc. 68-8561; Filed, July 17, 1968; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 85—CYSTICERCOSIS

Change in Areas Quarantined

Pursuant to the provisions of sections 1 and 3 of the Act of March 3, 1905, as amended, and section 7 of the Act of May 29, 1884, as amended (21 U.S.C. 117, 123, 125), Part 85, designated "Cysticercosis" in Title 9, Code of Federal Regulations, is hereby amended in the following respect:

Paragraph (a) of § 85.2 relating to the premises of the Dean Cluck Feedlot, Gruver, Tex., is hereby deleted.

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

The amendment releases from quarantine the premises known as the Dean Cluck Feedlot, Gruver, Tex., heretofore quarantined because of cysticercosis. Hereafter, the restrictions pertaining to the interstate movement of cattle from quarantined areas, contained in 9 CFR Part 85, will not apply to such premises.

The amendment relieves certain restrictions presently imposed, and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and the amendment may be made effective less than 30 days after publication in the *FEDERAL REGISTER*.

(Secs. 1, 3, 33 Stat. 1264 and 1265, as amended; sec. 7, 23 Stat. 32, as amended; 21 U.S.C. 117, 123, 125; 29 F.R. 16210, as amended, 30 F.R. 5799, as amended)

Done at Washington, D.C., this 10th day of July 1968.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 68-8523; Filed, July 17, 1968; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9008, Amdt. 39-623]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Viscount Models 744, 745D, and 810 Series Airplanes

Cracks have been found in the elevator root end ribs on British Aircraft

Corp. Viscount Models 744, 745D, and 810 Series airplanes that could result in failure of the elevator structures. Since this condition is likely to exist or develop in other airplanes of the same design, an airworthiness directive (AD) is being issued to require inspection and eventual reinforcement of the elevator root end ribs.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (49 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Viscount Models 744, 745D, and 810 Series Airplanes.

Compliance required as indicated.

To detect and repair cracks in the elevator root end ribs P/Ns 60920-65, 60920-63, 72420-11 for Models 744 and 745D, and 81020 Shts. 81 and 83 for Model 810, accomplish the following:

(a) For airplanes that have accumulated 7,850 or more landings, inspect in accordance with paragraph (c) within the next 150 landings after the effective date of this AD and thereafter at intervals not to exceed 475 landings from the last inspection.

(b) For airplanes that have accumulated less than 7,850 landings, inspect in accordance with paragraph (c) prior to the accumulation of 8,000 landings and thereafter at intervals not to exceed 475 landings from the last inspection.

(c) Visually inspect the root end ribs for cracks in accordance with British Aircraft Corp. Preliminary Technical Leaflet No. 274 Issue 1 (700 Series) or No. 138 Issue 1 (800/810 Series) or later ARB-approved issues or an FAA-approved equivalent.

(d) If cracks are detected during the inspection specified in paragraph (c), within the next 10 landings incorporate the Repair/Reinforcement scheme in accordance with British Aircraft Corp. Preliminary Technical Leaflet No. 274 Issue 1 (700 Series) or No. 138 Issue 1 (800/810 Series) or later ARB-approved issues or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, European Region.

(e) If not already accomplished under paragraph (d), within the next 3,000 landings after the effective date of this AD, incorporate the Repair/Reinforcement Scheme in accordance with British Aircraft Corp. Preliminary Technical Leaflet No. 274 Issue 1 (700 Series) or No. 138 Issue 1 (800/810 Series) or later ARB-approved issues or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, European Region.

(f) After incorporation of the Repair/Reinforcement Scheme in accordance with either paragraph (d) or (e), repeat the visual inspection specified in paragraph (c) prior to the next takeoff after each occurrence of severe nosewheel shimmy, or at intervals not to exceed 3,000 landings from the last inspection, whichever occurs earlier.

(g) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

This amendment becomes effective July 23, 1968.

Issued in Washington, D.C., on July 10, 1968.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 68-8535; Filed, July 17, 1968; 8:47 a.m.]

[Airspace Docket No. 68-SO-49]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Macon, Ga., control zone.

The Macon control zone is described in § 71.171 (33 F.R. 2058).

The USAF has announced that the primary runway at Robins AFB will be undergoing repairs from July 15, to October 15, 1968. During this period, a temporary runway 13/31 will be in use and temporary instrument approach procedures to this runway have been established and will be utilized. Therefore, it is necessary to alter the control zone to encompass the airspace within 2 miles each side of the Macon VORTAC 323° radial, extending from the Lewis B. Wilson Airport 5-mile radius zone to 11.5 miles northwest of the VORTAC and the airspace within 2 miles each side of Macon VORTAC 141° radial, extending from the Robins AFB 5-mile radius zone to 13 miles southeast of the VORTAC to provide the required controlled airspace protection for aircraft executing the temporary instrument approach procedures to Robins AFB. A maximum of 7.5 square miles of uncontrolled airspace is added to the control zone by this alteration.

Since this amendment is minor in nature and in the interest of safety, notice and public procedure hereon are unnecessary and the amendment may become effective without regard to the 30-day statutory period.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 15, 1968, until 0900 G.m.t., October 15, 1968, as hereinafter set forth.

In § 71.171 (33 F.R. 2058), the Macon, Ga., control zone is amended as follows: " * * * within 2 miles each side of the Macon VORTAC 323° radial, extending from the Lewis B. Wilson Airport 5-mile radius zone to 11.5 miles northwest of the VORTAC; and within 2 miles each side of the Macon VORTAC 141° radial, extending from the Robins AFB 5-mile radius zone to 13 miles southeast of the VORTAC * * * " is added to the present description.

Issued in East Point, Ga., on July 10, 1968.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[F.R. Doc. 68-8536; Filed, July 17, 1968; 8:47 a.m.]

[Airspace Docket No. 68-SO-47]

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

Alteration of Control Zone and Transition Area

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to alter the Fort Stewart, Ga., control zone and transition area.

The Fort Stewart control zone is described in § 71.171 (33 F.R. 2058).

The Fort Stewart transition area is described in § 71.181 (33 F.R. 2137).

In each of these descriptions, reference is made to "Liberty AAF." Since the name of this airport has been changed to "Lyle H. Wright AAF," it is necessary to amend the descriptions accordingly.

Since these amendments are editorial in nature, notice and public procedure hereon are unnecessary.

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

In § 71.171 (33 F.R. 2058), the Fort Stewart, Ga., control zone is amended as follows: " * * * Liberty AAF * * * " is deleted and " * * * Lyle H. Wright AAF * * * " is substituted therefor.

In § 71.181 (33 F.R. 2137), the Fort Stewart, Ga., transition area is amended as follows: " * * * Liberty AAF * * * " is deleted and " * * * Lyle H. Wright AAF * * * " is substituted therefor.

(Sec. 307 (a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on July 10, 1968.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 68-8537; Filed, July 17, 1968; 8:47 a.m.]

[Airspace Docket No. 68-SO-50]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Salisbury, N.C., transition area.

The Salisbury transition area is described in § 71.181 (33 F.R. 2137).

An extension to the transition area is predicated on the 003° bearing from the Salisbury NDB. Additionally, the geographic coordinate for the Salisbury NDB is published as lat. 35°40'40" N., long. 80°31'20" W.

A refined plotting places the NDB at lat. 35°40'29" N., long. 80°30'32" W.,

which results in a change to the final approach bearing from 003° to 014°. Accordingly, it is necessary to alter the transition area description to designate the required controlled airspace on the refined bearing.

Since this amendment is in the interest of safety, notice and public procedure hereon are unnecessary and the amendment may become effective without regard to the 30-day statutory period.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 1, 1968, as hereinafter set forth.

In § 71.181 (33 F.R. 2137), the Salisbury, N.C., transition area is amended to read:

SALISBURY, N.C.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Rowan County Airport (lat. 35°38'30" N., long. 80°31'10" W.); within 2 miles each side of the 014° bearing from the Salisbury NDB (lat. 35°40'29" N., long. 80°30'32" W.), extending from the 6-mile radius area to 8 miles north of the NDB.

Issued in East Point, Ga., on July 10, 1968.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[F.R. Doc. 68-8538; Filed, July 17, 1968; 8:47 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER F—NATIONALITY AND PASSPORTS

[Departmental Reg. 108.590]

PART 51—PASSPORTS

Subpart E—Limitation on Issuance, Renewal, or Extension of Passports

Denial of Passports

Section 51.70 is amended by adding a new subparagraph (6) to paragraph (b) reading as follows:

§ 51.70 Denial of passports.

(b) * * *

(6) The applicant is subject to an order of restraint or apprehension issued by an appropriate officer of the Armed Forces of the United States pursuant to chapter 47 of title 10 of the United States Code.

(Sec. 1, 44 Stat. 887, sec. 4, 63 Stat. 111, as amended; 22 U.S.C. 211a, 2658; E.O. 11295; 3 CFR, 1966 Comp.)

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

Dated: June 29, 1968.

For the Secretary of State.

IDAR RIMESTAD,
Deputy Under Secretary
for Administration.

[F.R. Doc. 68-8550; Filed, July 17, 1968; 8:48 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

SUBCHAPTER E—EMPLOYMENT AND COMPENSATION IN THE CANAL ZONE

PART 253—REGULATIONS OF THE SECRETARY OF THE ARMY

Subpart D—Compensation and Allowances

TAX ALLOWANCE

Effective upon publication in the FEDERAL REGISTER, § 253.134 is amended by revising the last sentence to read as follows:

§ 253.134 Tax allowance.

* * * The revised tax allowance and the revised base salary or wage rate directly attributable to the revised tax allowance shall be made effective at a date to be determined by the Board, except that it shall not be earlier than the date of the tax change nor later than 6 months thereafter.

(2 C.Z.C. secs. 146(1), 155, 76A Stat. 17, 19; 35 CFR 251.2)

Dated: July 2, 1968.

STANLEY R. RESOR,
Secretary of the Army.

[F.R. Doc. 68-8510; Filed, July 17, 1968; 8:45 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER H—TRAINING

[General Order 97, Rev., Amdt. 1]

PART 310—MERCHANT MARINE TRAINING

Subpart C—Admission and Training of Cadets at the U.S. Merchant Marine Academy

MISCELLANEOUS AMENDMENTS

1. Effective September 1, 1968, section 310.55 of this subpart is amended by revising paragraph (a) thereof to read as follows:

§ 310.55 Physical requirements.

(a) **Physical Standards.** A candidate is required to meet the physical requirements prescribed by the Department of the Navy for appointment as Midshipman, USNR, but a candidate for appointment as a deck cadet must have minimum uncorrected visual acuity of at least 20/40 in one eye and 20/70 in the other, and a candidate for appointment as an engineering cadet must have minimum uncorrected visual acuity of at least 20/50 in one eye and 20/70 in the other. All candidates must have corrected visual acuity of 20/20 in each eye and normal color perception, and refractive error must be within the limits prescribed by the Department of the Navy. Other physical standards for candidates

shall be the same as those prescribed for midshipman candidates for the U.S. Naval Academy.

2. Effective July 1, 1968, § 310.58 of this subpart is amended by changing the first sentence of paragraph (c) thereof to read as follows:

§ 310.58 Training on subsidized vessels.

(c) *Pay.* Cadets shall receive pay, while attached to merchant vessels, at the rate of \$171.60 per month from their steamship company employers. * * *

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114)

Dated: July 12, 1968.

By order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 68-8547; Filed, July 17, 1968; 8:48 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

Erie National Wildlife Refuge, Pa.

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

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Public hunting of all migratory birds on the Erie National Wildlife Refuge is permitted in accordance with all applicable State and Federal regulations. Such hunting is permitted only on the designated Migratory Game Bird Hunting Area. This area is delineated on maps

available at refuge headquarters, Guys Mills, Pa., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations governing hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 30, 1969.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

JULY 8, 1968.

[F.R. Doc. 68-8512; Filed, July 17, 1968; 8:45 a.m.]

PART 32—HUNTING

Erie National Wildlife Refuge, Pa.

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

§ 32.22 Special regulations, upland game, for individual wildlife refuge areas.

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Public hunting of small game and unprotected species on the Erie National Wildlife Refuge, Pa., is permitted only on the area designated by signs as open to hunting. This open area is delineated on maps available at refuge headquarters, Guys Mills, Pa., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with all applicable State regulations governing hunting of small game and unprotected species subject to the following special conditions:

(1) The open season for hunting unprotected species on the refuge extends from September 1, 1968, through March 15, 1969.

(2) That portion of the refuge situated between Pennsylvania Routes 27 and 173,

is closed to hunting with firearms from September 1, 1968, through November 25, 1968.

The provisions of this special regulation supplement the regulations governing hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through March 15, 1969.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

JULY 8, 1968.

[F.R. Doc. 68-8513; Filed, July 17, 1968; 8:45 a.m.]

PART 32—HUNTING

Erie National Wildlife Refuge, Pa.

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.

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Erie National Wildlife Refuge, Pa., is permitted. The open hunting area is delineated on maps available at refuge headquarters, Guys Mills, Pa., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations governing hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 11, 1969.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

JULY 8, 1968.

[F.R. Doc. 68-8511; Filed, July 17, 1968; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 1, 130, 146]

ENFORCEMENT, ANTIBIOTIC, AND NEW-DRUG REGULATIONS

Promotional Labeling for Prescription Drugs

Current regulations relating to promotional labeling for prescription drugs provide, in the case of articles for which new-drug or antibiotic approvals are in effect, that the required prescribing information in such labeling as to indications, effects, dosages, routes, methods, and frequency and duration of administration and any relevant hazards, contraindications, side effects, and precautions: "is substantially the same as the labeling authorized by the approved new-drug application or required as a condition for its certification or exemption from certification."

The intent of the quoted regulation is to allow creativity in the design of promotional labeling while also including the substance of all required prescribing information, unchanged in language or emphasis as approved under new-drug or certification provisions of the Federal Food, Drug, and Cosmetic Act, as adequate to inform physicians of the conditions under which the drugs may be used safely and effectively.

Recent experience shows that the wording of the current regulations has been construed to authorize promotional labeling which is in the main the same as approved labeling; thus, the quoted language has been taken to permit changes in essential parts of the labeling that may have an adverse effect on the drug prescribing information that has been approved or required for physicians.

Accordingly, the Commissioner of Food and Drugs proposes to revise § 1.106(b) (4) (i), and other designated sections of the regulations having similar intent, for the purpose of clarification. These are intended as interim revisions to clarify the original intent of the current prescription drug labeling regulations and are not in lieu of further revisions of the labeling regulations as proposed in the FEDERAL REGISTER of May 23, 1967 (32 F.R. 7535).

Therefore, under the authority vested in the Secretary of Health, Education, and Welfare by said act (secs. 502(f), 505, 507, 701(a), 52 Stat. 1051-53, as amended, 1055, 59 Stat. 463, as amended; 21 U.S.C. 352(f), 355, 357, 371(a)) and delegated to him (21 CFR 2.120), the

Commissioner of Food and Drugs proposes that Parts 1, 130, and 146 be amended:

1. By revising § 1.106 (b) (4) (i) and (c) (4) (i) to read as follows:

§ 1.106 Drugs and devices; directions for use.

(b) Exemption for prescription drugs.

(4) *

(i) Adequate information for such use, including indications, effects, dosages, routes, methods, and frequency and duration of administration and any relevant warnings, hazards, contraindications, side effects, and precautions, under which practitioners licensed by law to administer the drug can use the drug safely and for the purposes for which it is intended, including all conditions for which it is advertised or represented; and if the article is subject to section 505 or 507 of the act, the parts of the labeling providing such information are the same in language and emphasis as labeling approved or permitted under the provisions of section 505 or 507, respectively, and any other parts of the labeling are consistent with and not contrary to such approved or permitted labeling; and

(c) Exemption for veterinary drugs.

(4) *

(i) Adequate information for such use, including indications, effects, dosages, routes, methods, and frequency and duration of administration, and any relevant warnings, hazards, contraindications, side effects, and precautions, and including information relevant to compliance with the food additive provisions of the act, under which veterinarians licensed by law to administer the drug can use the drug safely and for the purposes for which it is intended, including all conditions for which it is advertised or represented; and if the article is subject to section 505 or 507 of the act, the parts of the labeling providing such information are the same in language and emphasis as labeling approved or permitted under the provisions of section 505 or 507, respectively, and any other parts of the labeling are consistent with and not contrary to such approved or permitted labeling; and

2. In § 130.4(c) (2), by revising the first textual paragraph of Form FD-356H to read as follows:

§ 130.4 Applications.

(c) *

(2) *

FD-356H *

The undersigned submits this application for a new drug pursuant to section 505(b) of the Federal Food, Drug, and Cosmetic Act. It is understood that when this application is approved, the labeling and advertising for the drug will prescribe, recommend, or suggest its use only under the conditions stated in the labeling which is part of this application; and if the article is a prescription drug, it is understood that any labeling which furnishes or purports to furnish information for use or which prescribes, recommends, or suggests a dosage for use of the drug will contain the same information for its use, including indications, effects, dosages, routes, methods, and frequency and duration of administration, any relevant warnings, hazards, contraindications, side effects, and precautions, as that contained in the labeling which is part of this application in accord with § 1.106(b) (21 CFR 1.106(b)). It is understood that all representations in this application apply to the drug produced until an approved supplement to the application provides for a change or the change is made in conformance with other provisions of § 130.9 of the new-drug regulations.

3. By revising § 130.9(a) (3) (33 F.R. 9955) to read as follows:

§ 130.9 Supplemental applications.

(b) *

(3) Any mailing or promotional piece used after the drug is placed on the market is labeling requiring a supplemental application unless the parts of the labeling furnishing directions, warnings, and information for use of the drug are the same in language and emphasis as labeling approved or permitted, and any other parts of the labeling are consistent with and not contrary to such approved or permitted labeling.

4. By revising § 146.2(b) (3) and (4) to read as follows:

§ 146.2 Requests for certification, check tests and assays, and working standards; information and samples required.

(b) *

(3) Before such person makes such change in the facilities and controls used in the manufacture, packaging, or labeling of the drug, he shall submit to the Commissioner for advance approval a full statement describing the proposed change. In the case of a proposal to use revised labeling on or within the drug package or promotional labeling containing information for use of the drug that is not the same in language and emphasis as the approved labeling, the applicant shall submit specimens for advance approval.

(4) In the case of mailing and promotional pieces that contain the same information for use of the drug as previously approved labeling, in which any other information is consistent with and not contrary to such labeling in accord with § 1.106(b) of this chapter and so certified by the applicant (or authorized representative), the applicant shall submit specimens when first used and need not await advance approval.

Any interested person may, within 30 days from the date of publication of this notice in the *FEDERAL REGISTER*, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be

accompanied by a memorandum or brief in support thereof.

Dated: July 12, 1968.

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

[F.R. Doc. 68-8542; Filed, July 17, 1968;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 26]

WHEAT

Official Grain Standards

Correction

In F.R. Doc. 68-8053 appearing at page 9825 in the issue of Tuesday, July 9, 1968, the table of § 26.127(a) should read as follows:

WHEAT

Grade	Minimum test weight per bushel		Maximum limits of—						
	Hard Red Spring Wheat or White Club Wheat	All other classes	Defects				Wheat of other classes ¹		
	Pounds	Pounds	Heat-damaged kernels	Damaged kernels (total)	Foreign material	Shrunken and broken kernels	Defects (total)	Contrasting classes	Wheat of other classes (total)
	Pounds	Pounds	Percent	Percent	Percent	Percent	Percent	Percent	Percent
1.....	58.0	60.0	0.1	2.0	0.5	3.0	3.0	1.0	3.0
2.....	57.0	58.0	.2	4.0	1.0	5.0	5.0	2.0	5.0
3.....	55.0	56.0	.5	7.0	2.0	8.0	8.0	3.0	10.0
4.....	53.0	54.0	1.0	10.0	3.0	12.0	12.0	10.0	10.0
5.....	50.0	51.0	3.0	15.0	5.0	20.0	20.0	10.0	10.0

Sample grade... Sample grade shall be wheat which does not meet the requirements for any of the grades from No. 1 to No. 5, inclusive; or which contains more than two crotalaria seeds (*Crotalaria* spp.) in 1,000 grams of grain, or contains castor beans (*Zizinus communis*), stones, broken glass, animal filth, unknown foreign substances, or commonly recognized harmful or toxic substances; or which is musty, sour, or heating; or which has any commercially objectionable foreign odor except of smut or garlic; or which contains a quantity of smut so great that any one or more of the grade requirements cannot be applied accurately; or which is otherwise of distinctly low quality.

¹ Red Durum Wheat of any grade may contain not more than 10.0 percent of wheat of other classes.

[7 CFR Part 1004]

[Docket No. AO-160-A39]

MILK IN DELAWARE VALLEY MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and 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 a public hearing to be held in the Carlton Room, Sylvania Hotel, Locust Street at Juniper, Philadelphia, Pa., beginning at 9:30 a.m., on July 30, 1968, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Delaware Valley marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amend-

ments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Lehigh Valley Cooperative Farmers:

Proposal No. 1. In §§ 1004.52 and 1004.82 change "45 miles" to read "55 miles" and change "23 cents" to read "24.5 cents". Also, change the other provisions of the order to accommodate them to these specific changes.

Proposed by Inter-State Milk Producers' Cooperative:

Proposal No. 2. In § 1004.15(d) change "45 miles" to read "65 miles".

Proposal No. 3. In the text of § 1004.52 (a) change "45 miles" to read "65 miles" and change the table to read as follows:

Distance of plant from nearest city hall:	Rate per hundredweight (cents)
65 miles.....	10.5
Each additional 10 miles or fraction thereof an additional.....	1.5

Proposal No. 4. Revise paragraph (c) of § 1004.52 to read as follows:

(c) For milk received from producers at a pool plant located 65 to 140 miles by the shortest highway distance as determined by the Market Administrator from the nearest of the city halls in Philadelphia, Pa.; Trenton or Atlantic City, N.J.; and classified as Class II milk (except that for which a Class I location differential was assigned pursuant to paragraph (b)), the Class II price shall be reduced at the rate set forth in the following schedule according to the location of the pool plant where such milk was received from producers, subject to the exception contained in § 1004.15(d):

Distance of plant from nearest city hall	Rate per hundredweight (cents)
65 to 140 miles.....	6.0
Each additional 70 miles or fraction thereof an additional.....	1.0

Proposal No. 5. In § 1004.82(a) (1) change "45 miles" to read "65 miles" and change "23 cents" to read "10.5 cents".

Proposed by Dairymen's League Cooperative Association, Inc., and Northeast Daily Cooperative Federation, Inc.:

Proposal No. 6. Revise paragraph (b) of § 1004.52 to read as follows:

(b) For purposes of calculating such adjustment, transfers between pool plants shall be assigned to Class I disposition at the transferee plant on a pro rata basis with the aggregate receipts at such plant of producer milk.

Proposed by Inter-State Milk Producers' Cooperative:

Proposal No. 7. Eliminate the following proviso from § 1004.8(b): "Provided, That for the months through October 1967, this condition shall not be applicable to any plant which has continuously been a fully regulated plant under the Delaware Valley order for the months of January 1967 to the effective date of this amending order."

Proposal No. 8. Eliminate the following closing words from the introductory text of § 1004.63: "Except that with respect to this paragraph and paragraphs (a), (b), and (c) of this section the initial base-forming period shall be August through December 1967 and the minimum number of days used to compute the producer's base which will be applicable during the March through June 1968 base-paying period shall be not less than 123."

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 9. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 1528 Walnut Street, Philadelphia, Pa. 19102, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on July 12, 1968.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 68-8583; Filed, July 17, 1968;
8:49 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 241]

PROPOSED GUIDES FOR DOG AND CAT FOOD INDUSTRY

Notice of Opportunity To Present Written Views, Suggestions or Objections

Proposed Guides for the Dog and Cat Food Industry were originally made public by the Commission on September 26, 1967, and were published in the *FEDERAL REGISTER* on that date at page 13461. In response to the invitation to industry members and other interested parties to submit written comments concerning the proposed Guides, a number of suggestions, criticisms and objections were received. After giving due consideration to these comments and other pertinent information received, the proposed Guides have been revised as hereinafter set forth. These revised proposed Guides are today made public by the Commission for consideration by industry members and other interested or affected parties pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C., secs. 41-58, and the provisions of Part 1, Subpart A, of the Commission's procedures and rules of practice, 16 CFR 1.5, 1.6.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations or other parties affected by or having an interest in the proposed Guides for the Dog and Cat Food Industry to present to the Commission their views concerning the proposed Guides, including such pertinent information, suggestions or objections as they may desire to submit. For this purpose, additional copies of the proposed Guides may be obtained upon request to the Commission. Such data, views, information, and suggestions may be submitted by letter, memorandum, brief, or other written communication not later than August 19, 1968, to the Chief, Division of Industry Guides, Bureau of Industry Guidance, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. 20580. Written comments received in the proceeding will be available for examination by interested parties at the Commission's Washington address and will be fully considered by the Commission.

Guides for this industry, if and when finally approved and adopted by the Commission, will be designed to assist manufacturers and other sellers of dog and cat foods in avoiding violations of the Federal Trade Commission Act, as amended (15 U.S.C., sec. 41-58), in labeling and advertising their products. Their purpose will be to encourage voluntary compliance with the Act which makes illegal unfair methods of competition and unfair or deceptive acts or practices in commerce as well as false advertising of food, including animal food. Proceedings to enforce the requirements of law set forth in the Guides may be brought under the Federal Trade Commission Act.

Text of the proposed Guides follows:

NOTE: These guides have not been approved by the Federal Trade Commission. They are a draft of proposed Guides which are made available to all interested or affected parties for their consideration and for submission of such views, suggestions, or objections as they may care to present, due consideration to which will be given by the Commission before proceeding to final action on the proposed Guides.

§ 241.1 Definitions.

For the purpose of this part the following definitions shall apply:

(a) *Industry product* means a food for dogs or cats and includes all types of dry, semimoist, frozen, canned, and other commercial foods manufactured or marketed for consumption by domesticated dogs or cats. The term also includes special diet and health foods and supplements, and "treats" and "candy" for such dogs and cats, but does not include animal medicines or remedies.

(b) *Industry member* means a person, firm, corporation, or organization engaged in the importation, manufacture, sale or distribution of an industry product.

(c) *Ingredients* are the constituent materials making up a food for dogs or cats. Except as otherwise prescribed in this part, the names and definitions of ingredients adopted by the Association of American Feed Control Officials will be used in the administration of this part, except that with respect to products which have been certified by the Department of Agriculture under the provisions of 9 CFR 355.1-355.42, the definitions set forth in those regulations will be used. [Guide 1]

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|--------|--|
| Sec. | |
| 241.1 | Definitions. |
| 241.2 | Misuse of terms. |
| 241.3 | Misrepresentation in general. |
| 241.4 | Misrepresentation in advertisements. |
| 241.5 | Deceptive labeling of industry products. |
| 241.6 | Misrepresentation of color. |
| 241.7 | Misrepresentation of flavor. |
| 241.8 | Diet and nutrient misrepresentation. |
| 241.9 | Misrepresentation of medicinal and therapeutic benefits. |
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| 241.11 | Misuse of the terms "can" and "canned". |
| 241.12 | Defamation of competitors or false disparagement of their products. |
| 241.13 | Misrepresentation of the character and size of business, extent of testing, etc. |
| 241.14 | Deceptive endorsements, testimonials and awards. |
| 241.15 | Bait advertising. |
| 241.16 | Guarantees, warranties, etc. |
| 241.17 | Use of the word "free". |
| 241.18 | Deceptive pricing. |

AUTHORITY: The provisions of this Part 241 issued under secs. 5, 6, 38 Stat. 719, as amended, 721; 15 U.S.C. 45, 46.

§ 241.2 Misuse of terms.

Industry products and their respective ingredients should be identified and designated in accordance with the provisions of paragraph (c) of § 241.1, or if no name or definition has been established for an ingredient, it should be designated or identified by its common or usual

name. The names of ingredients should not be used in advertising, labeling, brand or trade name, or otherwise, so as to misrepresent directly or by implication the identity of an ingredient or the composition of an industry product. [Guide 2]

§ 241.3 Misrepresentation in general.

Industry members should not use or cause or promote the use of any promotional materials, advertising, labels, insignia, brand or trade names which have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers:

(a) With respect to the composition, substance, content, identity, quantity, appearance, consistency, form, shape, color, flavor, cost, value, origin, grade, quality, suitability, nutritional properties, methods of manufacture, manner of processing, or novelty of an industry product or ingredient thereof; or

(b) In any other material respect. [Guide 3]

§ 241.4 Misrepresentation in advertisements.

Industry members should not make any representation in an advertisement¹ which has the capacity and tendency or effect of deceiving purchasers or prospective purchasers as to the composition, appearance, form, suitability or quality of an industry product or of any ingredient thereof. More specifically:

(a) A product should not be designated or described as "all meat" or "100% meat," or "all tuna," or "all chicken," or otherwise represented as being composed wholly of a named ingredient if it contains other ingredients such as water, or the byproducts of meat, poultry or fish.

(b) A product should not be designated or described as "meat," "beef," "tuna," or "chicken and eggs," or by the name or names of other ingredients derived from animals, poultry or fish unless the product contains at least 95 percent by weight of the named ingredient or combination of ingredients. If the product contains more than one ingredient, the name of a preferred ingredient should not be given precedence or undue prominence so as to create the impression that the product contains a greater amount of that ingredient than it does in fact. For example, if a product contains 80 percent meat byproducts and 15 percent meat, the respective percentages thereof should be stated or such ingredients named in their order of predominance by weight.

¹ The word "advertisement" or "advertising" as used in this part includes any written or verbal statement, notice, presentation, illustration, or depiction, other than labeling, which is directly or indirectly designed to effect the sale of any industry product, or to create an interest in the purchase of any such product, whether same appears in a newspaper, magazine or other periodical, in a catalog, letter or sales promotional literature, in a radio or television broadcast, or in any other media.

(c) Such terms as "meaty," "beefy," "fishy," "burger," "prime," "choice," and other terms which are suggestive of meat, whole chicken, or the muscle tissue of fish should not be used to describe or designate an industry product or an ingredient thereof which does not contain at least 95 percent by weight of the ingredient or combination of ingredients which the term suggests, unless the product contains a substantial amount of that ingredient or combination of ingredients, and the term is accompanied by a clear and conspicuous disclosure in close conjunction therewith of either the percentage by weight of the designated meat, poultry, or fish ingredients contained in the product, e.g., "10 percent meat and 35 percent meat byproducts," or the principal ingredients or components of ingredients comprising the product in the order of their predominance by weight, e.g., "cereal products, grain products, meat by products and meat." However, terms which if qualified would result in a confusing contradiction should not be used with or without qualification. Examples of terms of this nature are "sirloin," "T-Bone," and "breast of chicken."

(d) Such terms as "stew," "hash," or other human food terms should not be used to designate or describe an industry product or an ingredient thereof which is not so constituted as to conform to Federal standards of identity established for such foods. However, the specified percentages of meat, poultry, or fish ingredients may properly be composed of the named ingredient or of a combination of that ingredient and the parts of poultry or fish, or the byproducts of animals, poultry, or fish from which it was derived. For example, a product described as "Pet Stew for Dogs" should contain not less than 25 percent of meat and meat byproducts, or of poultry products, and a variety of vegetables and other nutritional ingredients.

(e) The quality of an industry product from the nutritional standpoint is not necessarily dependent upon its meat content, or upon the amount or nature of other ingredients derived from animals, poultry, or fish which it may contain. Accordingly, it is improper to represent that a dog or cat has a nutritional requirement for such an ingredient, or that solely because a particular industry product contains, for example, a specified percentage of meat it is nutritionally superior to products having a lesser quantity of meat, or to those which contain other and different ingredients. Such advertising is deceptive because it does not take into consideration the nutritional properties of various ingredients or combinations thereof used in the formulation of industry products.

(f) Representations that a product contains or is fortified with fresh eggs should not be made if the product in fact contains no fresh eggs or an inappreciable amount thereof, or only dried or powdered eggs or egg yolks or egg whites, or only such eggs as may be found in the carcasses of poultry.

(g) Representations that an industry product contains whole fresh milk should not be made if the product in fact contains reconstituted milk, skimmed milk, buttermilk or dry powdered whole or skimmed milk.

(h) Representations that a product or an ingredient thereof is "moist in its own juices" or otherwise that the moisture therein is the natural juices contained in the product or ingredients should not be made if water or other liquids have been added thereto.

(i) Vignettes and graphic and pictorial illustrations of an industry product or the contents, ingredients or immediate container thereof, which have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers with respect to the appearance, substance, condition, or composition of the product or its ingredients should not be used.

(j) Such terms as "burger," "chunk," "patty," "cubes," "loaf," "croquettes," and terms of similar import, should not be used to describe or designate a product or ingredient thereof which does not have the shape or form so represented when it is sold to the ultimate consumer. Terms representing shape or form which also suggest ingredients derived from animals, poultry, or fish are subject to the provisions of this section relating to misrepresentation of content.

(k) It is deceptive to offer for sale or sell an industry product which is not suitable for use as a food for dogs or cats. If an industry product does not satisfy the criteria for a complete food for dogs or cats set forth in paragraph (a) of § 241.3, or is suitable for use only as an intermittent or supplemental food, advertising respecting the product should contain a statement which sets forth the purposes for which it is suitable, or alternatively, a disclosure that it is not a complete food. [Guide 4]

§ 241.5 Deceptive labeling of industry products.

Industry members should not use on the labels of industry products a statement of identity, vignette, or any other representation, pictorial, or otherwise, which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers with respect to the composition, appearance, form, suitability, quality, color, flavor, manner of processing, or condition of the product or any of its ingredients. More specifically:

(a) A label should contain sufficient information to enable a purchaser or prospective purchaser to determine the nature and composition of the product. If the product does not satisfy the criteria for a complete food for dogs or cats set forth in paragraph (a) of § 241.3, or is suitable for use only as an intermittent or supplemental food, the label should bear a clear and conspicuous statement of the purposes for which the product is suitable, e.g., "A supplemental food," or alternatively, a disclosure that it is not a complete food.

(b) When used as part of a product name or statement of identity, the name of a particular ingredient should not be set forth in such a manner as to mislead prospective purchasers into believing that there is a greater proportion of such ingredient in the product than there is in fact. For example, if a product is composed of 80 percent meat byproducts and 15 percent beef, and 5 percent of other ingredients, and is designated as "meat byproducts and beef," the word "beef" in the product name or statement of identity should not be more conspicuous than the words "meat byproducts." [Guide 5]

§ 241.6 Misrepresentation of color.

Industry members should not directly or indirectly, in an advertisement, misrepresent the actual color of an industry product. More specifically, they should not represent that the color of a product is its natural color when such color has been established or set by artificial means; or that a product does not contain an artificial coloring ingredient unless this is true in fact; or that the color of a product is of any particular significance to a dog or to a cat. [Guide 6]

§ 241.7 Misrepresentation of flavor.

Industry members should not represent directly or indirectly, in an advertisement, that a product has a particular flavor unless the product has that flavor and the designated or named flavor is detectable by a recognized test method, or provides a characteristic distinguishable by the animal for which the product is intended. If the flavor has been derived from artificial sources that fact should be disclosed. [Guide 7]

§ 241.8 Diet and nutrient misrepresentation.

Industry members should not represent directly or indirectly, in advertising, labeling, brand or trade name, or otherwise:

(a) That an industry product, or a recommended feeding thereof, is or meets the requisites of a complete, perfect, scientific, or balanced ration for dogs or cats unless such product or feeding:

(1) Contains ingredients in quantities sufficient to satisfy the estimated nutrient requirements established by a recognized authority on animal nutrition, such as the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences; or

(2) Contains a combination of ingredients which, when fed to a normal animal as the only source of nourishment, will provide satisfactorily for fertility of the male and female, gestation and lactation, normal growth from weaning to maturity without supplementary feeding and will maintain the normal weight of an adult animal whether working or at rest, and has had its capabilities in this regard demonstrated by adequate testing. However, if a product is represented as a complete

food, such representation should be qualified to show that it must be eaten in the prescribed quantities, if such is a fact.

(b) That any listing of nutrients is or exceeds the amounts recommended by a recognized authority on animal nutrition, such as the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences, unless such listing utilizes the same units of measure, and lists in equal or excess amounts all of the essential nutrients contained in the most recent nutrient list of that authority; or

(c) That a product or ingredient thereof contains vitamins, minerals or other nutrients in excess of the actual content thereof, as for example, by comparing the vitamins, minerals, or other nutrients of a product or ingredient thereof with the nutrient content of a food deficient in such nutrients; or

(d) That any product or ingredient thereof provides "super protein richness," or a complete source of protein in that it contains the essential body building amino acids, inferably in the proper amount and proportion for proper nutrition, when such is not the fact. [Guide 8]

§ 241.9 Misrepresentation of medicinal and therapeutic benefits.

Industry members should not represent directly or indirectly in advertising, labeling, brand or trade name, or otherwise, that a product or ingredient thereof will:

(a) Prevent, cure, correct, tend to correct, eliminate, remove, or provide resistance to any disease, condition, disorder, infection, or parasite, or in any way improve the health or condition of any animal, when such is not the fact; or

(b) Provide any therapeutic benefit which it is capable of providing only in instances where the consuming animal's ordinary diet is deficient in elements supplied by the product or ingredient, unless due notice or qualification is made to that effect. [Guide 9]

§ 241.10 Human food representation.

Industry members should not misrepresent directly or indirectly, in advertising, labeling, brand or trade name or otherwise, that a product is fit for human consumption or made under the same sanitary conditions as food for humans. [Guide 10]

§ 241.11 Misuse of the terms "can" and "canned".

Industry members should not, in advertising, labeling, or otherwise:

(a) Use the term "can" to describe any container other than a hermetically sealed rigid container; or

(b) Use the term "canned" to describe any product which has not been hermetically sealed in a rigid container; or

(c) Misrepresent in any other manner the methods used in the manufacture or processing of an industry product. [Guide 11]

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

Industry members should not directly or indirectly in advertising, labeling or otherwise:

(a) Engage in the defamation of their competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by making other false representations about them; or

(b) Falsely disparage the quality, grade, origin, appearance, composition, suitability, nutritional properties, cost, value, type, consistency, form, color, flavor, method of manufacture, manner of preparation, or lack of novelty of their competitors' products. [Guide 12]

§ 241.13 Misrepresentation of the character and size of business, extent of testing, etc.

Industry members should not misrepresent directly or indirectly in company, brand or trade name, or in advertising, labeling or otherwise:

(a) The length of time they have been in business; or

(b) The extent of their sales; or

(c) Their rank in the industry as producers or distributors of a product or type of product; or

(d) That they are manufacturers or packers of industry products; or

(e) That they own or operate a laboratory, breeding or experimental kennel, or that their products have been tested in any particular manner or for any period of time or with any particular results; or

(f) That a product, ingredient, or manufacturing process is new or exclusive; or

(g) Any other material aspect of their business or products. [Guide 13]

§ 241.14 Deceptive endorsements, testimonials and awards.

Industry members should not deceptively represent directly or indirectly by endorsement, testimonial, award, advertising, labeling, brand, or trade name, or otherwise:

(a) That a product or ingredient thereof has been prepared according to the formula, direction, or personal supervision of, or is prescribed by, or is the first choice of, or has been inspected, guaranteed, recognized, approved or used by; or meets or exceeds the specifications or standards of; or is otherwise endorsed by a particular individual or class of individuals, or by a governmental or non-governmental agency, or by professionals such as veterinarians, chemists, physicists or psychiatrists, or by organizations, breeders, kennels, sportsmen, hunt clubs or animal hospitals; or

(b) That a product is the recipient of a bona fide merit award or seal of approval; or

(c) That a product or an ingredient thereof has been inspected by the U.S. Government or any agency thereof and that it has passed that inspection. [Guide 14]

§ 241.15 Bait advertising.

Industry members should not offer for sale any industry product when the offer is not a bona fide effort to sell the product so offered as advertised and at the advertised price.

NOTE: In determining whether there has been a violation of this section, consideration will be given to acts or practices indicating that the offer was not made in good faith for the purpose of selling the advertised product, but was made for the purpose of contacting prospective purchasers and selling them a product or products other than the product offered. Among acts or practices which will be considered in making that determination are the following:

(1) The creation, through the initial offer or advertisement, of a false impression of the product offered in any material respect;

(2) The refusal to show, demonstrate or sell the product offered in accordance with the terms of the offer;

(3) The disparagement by acts or words of the product offered or the disparagement of the guarantee, or in any other respect in connection with it;

(4) The showing, demonstrating, and in the event of sale, the delivery of a product which is unsuitable for the purpose represented or implied in the offer;

(5) The failure, in the event of sale of the product offered, to deliver such product to the buyer within a reasonable time thereafter;

(6) The failure to have available a quantity of the advertised product at the advertised price sufficient to meet reasonably anticipated demands.

It is not necessary that each act or practice set forth above be present in order to establish that a particular offer is violative of this section.

NOTE: The Commission's November 24, 1959, Guides Against Bait Advertising furnish additional guidance respecting bait advertising and are to be considered as supplementing this section. Copies are available upon request to the Federal Trade Commission.

[Guide 15]

§ 241.16 Guarantees, warranties, etc.

(a) Industry members should not represent in advertising or otherwise that a product is guaranteed without clear and conspicuous disclosure of:

(1) The nature and extent of the guarantee; and

(2) Any material conditions or limitations in the guarantee which are imposed by the guarantor; and

(3) The manner in which the guarantor will perform thereunder; and

(4) The identity of the guarantor. (The necessary disclosure requires that any guarantee made by the dealer or vendor which is not backed up by the manufacturer must make it clear that the guarantee is offered by the dealer or vendor only.)

(b) A seller or manufacturer should not advertise or represent that a product is guaranteed when he cannot or does not promptly and scrupulously fulfill his obligations under the guarantee.

(c) A specific example of refusal to perform obligations under the guarantee would arise in connection with the use

of the phrase "Satisfaction or your money back" if the guarantor does not promptly make a full refund of the purchase price upon request, irrespective of the reason for such a request.

(d) This section has application not only to "guarantees" but also to "warranties," to purported "guarantees" and "warranties," and to any promise or representation in the nature of a "guarantee" or "warranty."

NOTE: The Commission's April 26, 1960, Guides Against Deceptive Advertising of Guarantees furnish additional guidance respecting guarantee representations and are to be considered as supplementing this section. Copies are available upon request to the Federal Trade Commission. [Guide 16]

§ 241.17 Use of the word "free".

In connection with the sale, offering for sale, or distribution of industry products, industry members should not use the word "free" or any other word or words of similar import in advertisements or in other offers to the public as descriptive of an article of merchandise, or service, which is not an unconditional gift under the following circumstances:

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

(b) When, with respect to any article of merchandise required to be purchased in order to obtain the "free" article or service, the offeror (1) increases the ordinary and usual price of such article of merchandise, or (2) reduces its quality, or (3) reduces the quantity or size thereof.

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

[Guide 17]

§ 241.18 Deceptive pricing.

Members of the industry should not represent directly or indirectly in advertising or otherwise that an industry product may be purchased for a specified price, or at a saving, or at a reduced price, when such is not the fact; or otherwise deceive purchasers or prospective purchasers with respect to the price of any product offered for sale; or furnish any means or instrumentality by which others engaged in the sale of industry products may make any such representation.

NOTE: The Commission's January 8, 1964, Guides Against Deceptive Pricing furnish additional guidance respecting price savings representations and are to be considered as supplementing this section. Copies are available upon request to the Federal Trade Commission.

[Guide 18]

Issued: July 17, 1968.

By direction of the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-8546; Filed, July 17, 1968; 8:48 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development
DIRECTOR, OFFICE OF CAPITAL DEVELOPMENT AND FINANCE, ET AL.

Redelegation of Authority

To: Director, Office of Capital Development and Finance, Deputy Director, Office of Capital Development and Finance; and Assistant Director, Office of Capital Development and Finance.

Pursuant to the authority delegated to me by Delegation of Authority No. 5, dated December 29, 1961, as amended, I hereby redelegate to each of the individuals listed above, for the countries or areas within the responsibility of this Regional Bureau, authority to perform the following functions, retaining for myself concurrent authority to exercise any of the functions herein redelegated:

1. Authority to negotiate loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 in accordance with the terms of the authorization of such loans;

2. Authority to implement loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 and by the Board of Directors of the Corporate Development Loan Fund;

3. Authority to negotiate, execute, and implement agreements and other documents ancillary to loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 and by the Board of Directors of the Corporate Development Loan Fund; and

4. Authority to provide instructions to the Missions to India, Pakistan, and Turkey with respect to individual loan agreements limiting the authority of the Missions to negotiate and execute loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 and to implement loan agreements with respect to loans authorized under the Foreign Assistance Act of 1961 and by the Board of Directors of the Corporate Development Loan Fund: *Provided, however*, That the exercise of this authority shall be subject to instructions otherwise by me or my deputy.

The following authorities enumerated above may be redelegated by the individuals listed above to qualified loan officers within the Office of Capital Development and Finance, Bureau for Near East and South Asia:

(a) Authority described above in paragraph 1;

(b) Authority described above in paragraph 2 to the following extent:

(1) Authority to review and approve documents and other evidence submitted by borrower in satisfaction of conditions precedent to financing under such loan agreements; and

(2) Authority to review and approve the terms of contracts, amendments and modifications thereto and invitations for bids with respect to such contracts financed by funds made available under such loan agreements; and

(c) Authority to negotiate and implement agreements and other documents ancillary to such loan agreements.

The authority described above in paragraph 2 may be redelegated by the individuals listed above to the Chief of the Loan Operations Division within the Office of Capital Development and Finance, Bureau for Near East and South Asia, to the following extent: Authority to approve, negotiate, execute, and implement Program Assistance Agreement Abstracts, Commodity Procurement Instructions, Financing Requests, Direct Reimbursement Approvals and Procurement Authorization/Purchase Requisitions, and amendments thereto, related to such loan agreements.

The redelegation of authority from William B. Macomber, Jr., Assistant Administrator, Bureau for Near East and South Asia, to the individuals listed above, dated June 11, 1965, is hereby rescinded.

This redelegation of authority is effective immediately.

Dated: April 26, 1968.

MAURICE J. WILLIAMS,
Assistant Administrator, Bureau
for Near East and South Asia.

[F.R. Doc. 68-8532; Filed, July 17, 1968; 8:47 a.m.]

CHIEF, LOAN OPERATIONS DIVISION, ET AL.

Redelegation of Authority

Pursuant to the authority delegated to me by Redelegation of Authority dated April 26, 1968, I hereby redelegate to the Chief of the Loan Operations Division of this Bureau, or anyone acting in that capacity, authority to perform the following functions with respect to Commodity Program Assistance Loans authorized under the Foreign Assistance Act of 1961, as amended, to the countries or areas within the responsibility of this Regional Bureau, retaining for myself concurrent authority to exercise any of the functions herein redelegated:

1. Authority to approve, execute, and implement Program Assistance Agreement Abstracts and amendments thereto;

2. Authority to approve, execute, and implement Commodity Procurement Instructions and amendments thereto;

3. Authority to approve, execute, and implement Financing Requests and amendments thereto;

4. Authority to approve, execute, and implement Direct Reimbursement Approvals and amendments thereto;

5. Authority to approve, negotiate, execute, and implement Procurement Authorization/Purchasing Requisitions and amendments thereto.

This redelegation of authority is effective immediately.

Dated: April 29, 1968.

THEODORE H. LUSTIG,
Director, Office of Capital Development and Finance, Bureau for Near East and South Asia.

[F.R. Doc. 68-8533; Filed, July 17, 1968; 8:47 a.m.]

EXECUTIVE DIRECTOR, PRIVATE RESOURCES DEVELOPMENT SERVICE, ET AL.

Redelegation of Authority Relating to Investment Surveys and Investment Guaranties

Pursuant to the authority delegated to me by Delegation of Authority No. 33, as amended, from the Administrator of A.I.D., dated February 3, 1964 (29 F.R. 2430), and Delegation of Authority No. 39, as amended, from the Administrator of A.I.D., dated April 3, 1964 (29 F.R. 5355), I hereby redelegate authority as follows:

(1) To the Executive Director, Private Resources Development Service and to the Managing Director, Private Investment Center, each severally, to act in my place and stead in my absence with respect to exercising the authority delegated to me by the above-cited Delegations of Authority Nos. 33 and 39;

(2) To the Managing Director, Private Investment Center,

(a) To authorize and issue investment guaranties under section 221(b)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2181(b)(1), covering investments (i) which take the form of royalties or (ii) which, as described in the Special Terms and Conditions, do not exceed \$5 million for each such investment, and in connection therewith to make the related approvals and determinations provided in sections 221(a), 221(b), and 221(c) of the said Act, 22 U.S.C. 2181(a), 2181(b), and 2181(c), and

(b) To amend any investment guaranty issued under section 221(b)(1) of the Foreign Assistance Act of 1961, 22 U.S.C. 2181(b)(1), section 413(b)(4) of the Mutual Security Act of 1954, or section 111(b)(3) of the Economic Cooperation Act of 1948, all as originally enacted and as amended: *Provided*, That such amendment does not increase the amount of investment covered by such guaranty by more than \$5 million, and

(c) To participate in financing surveys of investment opportunities under section 231 of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. § 2191, and in connection therewith to make the determinations and exercise the functions provided for in said section 231, 22 U.S.C. § 2191;

(3) To the Director, Insurance Division,

(a) To authorize and issue investment guaranties under section 221(b)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2181(b)(1), covering investments (i) which take the form of royalties or (ii) which, as described in the Special Terms and Conditions of such guaranty contracts, do not exceed \$1 million, and in connection therewith to make the related approvals and determinations provided in sections 221(a), 221(b), and 221(c) of the said Act, 22 U.S.C. 2181(a), 2181(b), and 2181(c), and

(b) To amend any investment guaranty issued under section 221(b)(1) of the Foreign Assistance Act of 1961, 22 U.S.C. 2181(b)(1), section 413(b)(4) of the Mutual Security Act of 1954, or section 111(b)(3) of the Economic Cooperation Act of 1948, all as originally enacted and as amended: *Provided*, That such amendment does not increase the amount of investment covered by such guaranty by more than \$1 million, and

(c) To participate, in an amount not to exceed \$5,000, in financing surveys of investment opportunities under section 231 of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2191, and in connection therewith to make the determinations and exercise the functions provided for in said section 231, 22 U.S.C. 2191: *Provided*, That if the function being exercised is one of amending the investment survey terms, such amendment may not increase A.I.D.'s participation above \$5,000;

(4) To the Associate Director, Insurance Division, to consent to assignments of any contract of guaranty issued under section 221(b)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2181(b)(1), under section 413(b)(4) of the Mutual Security Act of 1954 or section 111(b)(3) of the Economic Cooperation Act of 1948, all as originally enacted and as amended, provided such assignments run to entities eligible to be issued investment guaranties under the legislation in force at the time of the assignment;

(5) To the Associate Director, Insurance Division and concurrently to the Chief, International Loan Branch, Accounting Division, to issue written notice of delinquency to any investor who has failed to pay any fee due under any contract of guaranty issued under section 221(b)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2181(b)(1), under section 413(b)(4) of the Mutual Security Act of 1954, or under section 111(b)(3) of the Economic Cooperation Act of 1948, all as originally enacted and as amended, and further to cancel any contract of guaranty when the investor covered thereunder has

failed to pay the delinquent fee thereon within thirty (30) days following written notice of delinquency;

(6) To the Chief, Administration Branch, Finance Division to amend investment guaranties to modify the reporting requirements thereunder;

(7) To the Chief, Latin America-Africa Branch, Insurance Division,

(a) To authorize and issue investment guaranties under section 221(b)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2181(b)(1), covering investments in Latin America or Africa (i) which take the form of royalties or (ii) which, as described in the Special Terms and Conditions of such guaranty contracts, do not exceed \$200,000, and in connection therewith to make the related approvals and determinations provided in sections 221(a), 221(b), and 221(c) of the said Act, 22 U.S.C. 2181(a), 2181(b), and 2181(c), and

(b) To amend any investment guaranty issued under section 221(b)(1) of the Foreign Assistance Act of 1961, 22 U.S.C. 2181(b)(1), section 413(b)(4) of the Mutual Security Act of 1954, or section 111(b)(3) of the Economic Cooperation Act of 1948, all as originally enacted and as amended, provided such amendment does not increase the amount of investment covered by such guaranty by more than \$200,000;

(8) To the Chief, Near East-South Asia-Far East Branch, Insurance Division.

(a) To authorize and issue investment guaranties under section 221(b)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2181(b)(1), covering investments in the Near East, South Asia, or the Far East (i) which take the form of royalties or (ii) which, as described in the Special Terms and Conditions of such guaranty contracts, do not exceed \$200,000, and in connection therewith to make the related approvals and determinations provided in sections 221(a), 221(b), and 221(c) of the said Act, 22 U.S.C. 2181(a), 2181(b), and 2181(c), and

(b) To amend any investment guaranty issued under section 221(b)(1) of the Foreign Assistance Act of 1961, 22 U.S.C. 2181(b)(1), section 413(b)(4) of the Mutual Security Act of 1954, or section 111(b)(3) of the Economic Cooperation Act of 1948, all as originally enacted and as amended, provided such amendment does not increase the amount of investment covered by such guaranty by more than \$200,000;

(9) To the Managing Director, Private Investment Center, and to the Chief, Finance Division, each severally:

(a) To authorize and issue investment guaranties under section 221(b)(2)(B) and (C) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2181(b)(2)(B) and (C), covering investments, as described in such guaranty contracts, which do not exceed \$2,500,000, and in connection therewith to make the related approvals and determinations provided in sections 221(a), 221(b), and 221(c) of the said Act, 22 U.S.C. 2181(a), 2181(b), and 2181(c), and

(b) To amend any investment guaranty issued under section 221(b)(2)(B) and (C) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2181(b)(2)(B) and (C), provided such amendment does not increase the amount of investment covered by such guaranty by more than \$2,500,000.

This redelegation of authority is effective on the date hereof and revokes from that date prior redelegations of my authority.

The authority herein redelegated may not be further redelegated.

Dated: June 5, 1968.

HERBERT SALZMAN,
Assistant Administrator
for Private Resources.

[F.R. Doc. 68-8534; Filed, July 17, 1968;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[R 1327]

CALIFORNIA

Notice of Proposed Classification of Public Lands for Multiple-Use Management

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify for multiple use management the public lands in paragraph 3. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

2. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

3. The public lands located within the following described areas are shown on maps designated 2412-04-01-08-R-1327 at the District Office, Bureau of Land Management, Bakersfield, Calif., and Land Office, Bureau of Land Management, 1414 University Avenue, Riverside, Calif.

The overall description of the area is as follows:

KERN AND SAN BERNARDINO COUNTIES
MOUNT DIABLO MERIDIAN, CALIFORNIA

All public lands in:

T. 27 S., R. 35 E.,
Secs. 20 to 27, inclusive;
Secs. 30 and 31;
Secs. 33 to 36, inclusive.

T. 28 S., R. 35 E.,
Secs. 1 to 20 inclusive;
Secs. 22 to 36, inclusive.

T. 27 S., R. 36 E.,
Secs. 12 and 13;
Sec. 19;
Secs. 22 to 36, inclusive.

T. 28 S., R. 36 E.,
Secs. 1 to 36, inclusive.

T. 25 S., R. 37 E.,
Secs. 1 to 36, inclusive.

T. 26 S., R. 37 E.,
Secs. 1 to 18, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.

T. 27 S., R. 37 E.,
Secs. 1 to 4, inclusive;
Secs. 7 to 36, inclusive.

T. 28 S., R. 37 E.,
Secs. 1 to 36, inclusive.

T. 29 S., R. 37 E.,
Secs. 1 to 30, inclusive;
Secs. 32 to 35, inclusive.

T. 25 S., R. 38 E.,
Secs. 3 to 9, inclusive;
Secs. 16 to 21, inclusive;
Sec. 23;
Secs. 26 to 34, inclusive.

T. 26 S., R. 38 E.,
Secs. 3 to 11, inclusive;
Secs. 14 to 22, inclusive;
Secs. 25 to 34, inclusive.

T. 27 S., R. 38 E.,
Secs. 2 to 10, inclusive;
Secs. 13 to 15, inclusive;
Secs. 17 to 35, inclusive.

T. 28 S., R. 38 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 35, inclusive.

T. 29 S., R. 38 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 36, inclusive.

T. 26 S., R. 38 E.,
Sec. 6.

T. 27 S., R. 39 E.,
Secs. 1 to 3, inclusive;
Secs. 7 and 8;
Secs. 10 to 15, inclusive;
Secs. 18 and 19;
Secs. 23 to 35, inclusive.

T. 28 S., R. 39 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 35, inclusive.

T. 29 S., R. 39 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 20, inclusive;
Secs. 22 to 28, inclusive;
Secs. 33 to 35, inclusive.

T. 30 S., R. 39 E.,
Secs. 1 to 4, inclusive;
Secs. 6 to 15, inclusive;
Secs. 17 to 35, inclusive.

T. 27 S., R. 40 E.,
Sec. 17, S $\frac{1}{2}$;
Sec. 19, E $\frac{1}{2}$;
Secs. 20 to 23, inclusive;
Secs. 26 to 35, inclusive.

T. 28 S., R. 40 E.,
Secs. 2 to 11, inclusive;
Secs. 14 and 15;
Secs. 17 to 23, inclusive;
Secs. 26 to 35, inclusive.

T. 29 S., R. 40 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 34, inclusive.

T. 30 S., R. 40 E.,
Secs. 3 to 10, inclusive;
Secs. 13 to 15, inclusive;
Secs. 17 to 30, inclusive;
Sec. 34.

Except the following public lands:

T. 28 S., R. 37 E.,
Sec. 23, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, S $\frac{1}{2}$ S $\frac{1}{2}$;
T. 26 S., R. 38 E.,
Sec. 27, S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$.

The area described aggregates approximately 187,300 acres.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, U.S. Bureau of Land Management, Room 311, Federal Building, 800 Truxtun Avenue, Bakersfield, Calif. 93301.

5. A public hearing on the proposed classification will be held on August 9, 1968, at 1 p.m. at the Ridgecrest Community Hall in Ridgecrest, Calif.

For the State Director.

ROBERT J. SPRINGER,
District Manager.

[F.R. Doc. 68-8514; Filed, July 17, 1968;
8:45 a.m.]

[C-2367]

COLORADO

Proposed Classification of Public Lands for Multiple-Use Management; Amendment

JULY 10, 1968.

Paragraph 3 of the notice of proposed classification appearing as F.R. Doc. 67-8715 in the issue for July 27, 1967, at page 10993 is hereby amended to include the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

HINSDALE COUNTY

Mill Creek Site

T. 42 N., R. 5 W. (protracted),
Sec. 10, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$.

These legal descriptions are based on protraction diagram approved May 6, 1965.

The area described contains approximately 364.5 acres of public land.

4. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the Montrose District Manager, Bureau of Land Management, Highway 550 South, Post Office Box 1269, Montrose, Colo. 81401.

E. I. ROWLAND,
State Director.

[F.R. Doc. 68-8515; Filed, July 17, 1968;
8:45 a.m.]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands

JULY 11, 1968.

The Forest Service, U.S. Department of Agriculture, has filed an application, New Mexico 6844, for the withdrawal of lands described below, from location and entry

under the mining laws. The applicant desires the lands for recreational areas and an administrative site.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Chief, Division of Lands and Minerals, Program Management and Land Office, Post Office Box 1449, Santa Fe, N. Mex. 87501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

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

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

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

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN

SANTA FE NATIONAL FOREST

Seven Springs Campground

T. 20 N., R. 2 E.,
Sec. 25, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Seven Springs Administrative Site

T. 20 N., R. 2 E.,
Sec. 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Redondo Campground and Jemez Overlook

T. 19 N., R. 3 E.,
Sec. 21, lots 2, 3, 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$.

Black Canyon Campground

T. 17 N., R. 10 E.,
Sec. 1, lots 12 and 13;
Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Little Tesuque Picnic Area

T. 17 N., R. 10 E.,
Sec. 2, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Borrego Mesa Campground

T. 20 N., R. 11 E.,
Sec. 9, SE $\frac{1}{4}$ of lot 5, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described contain 413.34 acres.

MICHAEL T. SOLAN,
Chief, Division of Lands and
Minerals, Program Manage-
ment and Land Office.

[F.R. Doc. 68-8516; Filed, July 17, 1968;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

**DIRECTOR OR ACTING DIRECTOR,
AGRICULTURAL STABILIZATION
AND CONSERVATION SERVICE
DATA PROCESSING CENTER, KAN-
SAS CITY, MO.**

Amendment of Delegation of Author- ity With Respect to Certificates of Interest

The delegation of authority published in 29 F.R. 11854, as amended in 30 F.R. 286 and 31 F.R. 718 is further amended by deleting paragraph 2 under "Delegations" and substituting a new paragraph as follows:

2. *Certificates of interest.* The Director or Acting Director of the Agricultural Stabilization and Conservation Service Data Processing Center at Kansas City, Mo., may sign Commodity Credit Corporation certificates of interest issued to commercial banks and other eligible financial institutions participating in the financing of a pool of price support loans. This authority may not be redelegated. (Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714(b))

Effective date: August 1, 1968.

Signed at Washington, D.C., on July 11, 1968.

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

[F.R. Doc. 68-8540; Filed, July 17, 1968;
8:48 a.m.]

DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

Office of the Secretary

SOCIAL SECURITY ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 8 (Social Security Administration) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare (33 F.R. 5828 et. seq., Apr. 16, 1968), is hereby amended as follows:

1. Section 8B, *Division of Administrative Appraisal and Planning*, OA, is superseded by the following:

SEC. 8B, *Division of Administrative Appraisal and Planning*, OA—Directs the appraisal of total SSA administration and the planning for efficient SSA organization and operations. Develops

major operating and administrative goals and measures of effectiveness for program administration. Identifies current and emerging problems and recommends remedial actions. Continually appraises organizational effectiveness. Develops consistent and progressive administrative policies and philosophy. Conducts, coordinates, and integrates long-range operational, organizational, and administrative planning and provides leadership in administrative planning for pending legislation. Represents SSA in dealings with DHEW Audit Agency and GAO site audit teams. Investigates alleged program and criminal violations, employee misconduct, and other irregularities. Conducts an SSA historical research program.

2. Section 8B, *Division of Audits and Investigations*, OA, is deleted.

(Sec. 6, Reorg. Plan No. 1 of 1953)

Dated: July 12, 1968.

DONALD F. SIMPSON,
Assistant Secretary
for Administration.

[F.R. Doc. 68-8553; Filed, July 17, 1968;
8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

National Transportation Safety Board

[Docket No. SA-403]

ACCIDENT OCCURRING NEAR DAWSON, TEX.

Notice of Hearing

In the matter of investigation of accident involving aircraft of U.S. Registry N9707C, which occurred near Dawson, Tex., May 3, 1968.

Notice is hereby given that an Accident Investigation Hearing on the above matter will be held commencing at 9 a.m. (local time), on July 30, 1968, in the Rose Room of the Adolphus Hotel, Dallas, Tex.

Dated this 15th day of July 1968.

[SEAL] ROBERT L. ALLARD,
Hearing Officer.

[F.R. Doc. 68-8551; Filed, July 17, 1968;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-128]

TEXAS A&M UNIVERSITY

Notice of Issuance of Construction Permit

No request for a hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Construction Permit No. CPRR-104 to Texas A&M University. The permit authorizes the University to in-

stall a modified TRIGA-type core as a replacement for the present core and authorizes modifications to the present control system in the existing reactor located on the University's Nuclear Science Center near College Station, Tex.

The construction permit was issued in the form published in the notice of proposed issuance of construction permit in the FEDERAL REGISTER on June 19, 1968, 33 F.R. 9038.

Dated at Bethesda, Md., this 5th day of July 1968.

For the Atomic Energy Commission,

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

[F.R. Doc. 68-8525; Filed, July 17, 1968;
8:46 a.m.]

FEDERAL HOME LOAN BANK BOARD

FIDELITY CORP.

Notice of Receipt of Application for Permission To Acquire Akron Sav- ings and Loan Co.

JULY 15, 1968.

Notice is hereby given that on July 1, 1968, the Federal Savings and Loan Insurance Corporation received an application from the Fidelity Corp., Ninth and Main Streets, Richmond, Va., for permission to acquire the Akron Savings and Loan Co., 156 South Main Street, Akron, Ohio. The proposed acquisition is to be effected by the purchase of 55½ percent of said Akron Savings and Loan Co.'s outstanding stock by said Fidelity Corp. from the Ohio General Corp., 2873 West Market Street, Akron, Ohio. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL] JACK CARTER,
Secretary,
Federal Home Loan Bank Board.

[F.R. Doc. 68-8549; Filed, July 17, 1968;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-4421 etc.]

HASSIE HUNT TRUST ET AL.

Notice of Applications for Certificates, Abandonment of Service and Peti- tions To Amend Certificates

Correction

In F.R. Doc. 68-8197, appearing at page 10030 of the issue for Friday, July 12, 1968, the bracket at the beginning of the document should read as set forth above.

[Project 1888]

METROPOLITAN EDISON CO. AND YORK HAVEN POWER CO.

Notice of Application for Amendment and Transfer of License for Constructed Project

JULY 10, 1968.

Public notice is hereby given that application for amendment and transfer of license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Metropolitan Edison Co. and York Haven Power Co. (correspondence to: R. E. Neidig, Vice President, Metropolitan Edison Co., Post Office Box 542, Reading, Pa. 19603) for constructed Project No. 1888, known as York Haven project located on the Susquehanna River in Dauphin, Lancaster, and York Counties, Pa., in the vicinity of the towns of York Haven, Middleton, Falmouth, and Columbia, and the city of York.

The application seeks (1) amendment of the license to exclude therefrom a fee simple interest in a portion of the Three Mile Island and Shelleys Island which are presently within the project boundary for the construction thereon by Metropolitan Edison Co. of a nuclear generating station; (2) approval of transfer of the license as so amended from Metropolitan Edison to York Haven; and (3) approval of an agreement between Metropolitan Edison and York Haven for the joint use of other project properties in connection with the proposed nuclear plant.

The proposed agreement between Metropolitan Edison and York Haven provides for the conveyance of project property excluding the area in which Metropolitan Edison will retain a fee interest and the grant by York Haven to Metropolitan Edison of the right to the joint use of project lands and waters.

Metropolitan Edison would convey and transfer to York Haven in exchange for all the common capital stock of York Haven, consisting of a 100 shares without par value, all of Metropolitan Edison's tangible and intangible property constituting Metropolitan Edison's Project No. 1888 except as noted above. Metropolitan Edison would make such payments for the use of project lands and waters as Metropolitan Edison or any successor owner of the nuclear generating station shall with the approval of the Federal Power Commission from time to time agree upon with York Haven or any successor owner of Project No. 1888 or in the absence of such an agreement as shall be determined by the Federal Power Commission. It is also proposed that as long as York Haven shall own Project No. 1888 and be a subsidiary of Metropolitan Edison it shall purchase from York Haven at the bus-bar of York Haven's generating station the electric output of Project No. 1888 at such price as shall from time to time be set forth in rate schedules filed with the Commission by York Haven under the Federal Power Act.

Any person desiring to be heard or to make any protest with reference to said

application should, on or before August 29, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-8526; Filed, July 17, 1968;
8:46 a.m.]

[Docket No. RI69-1]

THORNTON OIL CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

JULY 10, 1968.

On June 10, 1968, Thornton Oil Co. (Thornton)¹ tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is designated as follows:

Description: Notice of change, dated June 6, 1968.

Purchaser and producing area: El Paso Natural Gas Co. (Spraberry Trend Area, Upton County, Tex.) (Railroad District No. 7-C) (Permian Basin Area).

Rate schedule designation: Supplement No. 2 to Thornton's FPC Gas Rate Schedule No. 2.²

Effective date: July 11, 1968.³

Amount of annual increase: \$261.

Effective rate: 16 cents per Mcf.⁴

Proposed rate: 18 cents per Mcf.⁵

Pressure base: 14.65 p.s.i.a.

Thornton, holder of a small producer certificate, proposes a periodic rate increase from 16 cents to 18 cents per Mcf, amounting to \$261 annually, for a sale of gas to El Paso Natural Gas Co. in the Permian Basin Area of Texas. Thornton's proposed 18 cents per Mcf rate exceeds the applicable area base rate prescribed in Opinion No. 468 and should be suspended for 5 months from July 11, 1968, the proposed effective date. Thornton's rate increase filing is subject to rejection as of the date of filing in the event the Permian court stay is dissolved because it exceeds the applicable area ceiling rate prescribed in Thornton's

¹ Address is: Eleventh Floor, Philtower Building, Tulsa, Okla. 74103. Attention: B. C. Ragsdale, Agent.

² Sale being made under small producer certificate issued Nov. 7, 1966, in Docket No. CS66-49. The rate schedule and initial rate of 16 cents per Mcf were reinstated by the Commission's order granting relief issued February 6, 1967, in Rodman and Late et al., Docket No. CS66-48 et al.

³ Formerly Rodman Oil Co.'s FPC Gas Rate Schedule No. 3.

⁴ The stated effective date is the effective date requested by Respondent.

⁵ Reinstated rate subject to rejection as of date of issuance of small producer certificate and subject to refund as per order granting relief.

⁶ Periodic rate increase.

⁷ Rate contractually due as of Aug. 1, 1966.

small producer certificate.⁶ If Thornton desires to collect a rate above that permitted small producers by Opinion No. 468, it must file an application for reinstatement of its certificate authorizing the sale and thereafter file its notice of change in rate accompanied by a rate schedule quality statement in the form prescribed by Appendix D of Opinion No. 468-A.

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

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 2 to Thornton's FPC Gas Rate Schedule No. 2 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Thornton's FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, Supplement No. 2 to Thornton's FPC Gas Rate Schedule No. 2 is hereby suspended and the use thereof deferred until December 11, 1968, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 19, 1968.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-8527; Filed, July 17, 1968;
8:46 a.m.]

⁶ The Commission's Permian decision was affirmed by the Supreme Court of the United States on May 1, 1968, in Permian Basin Area Rate Cases (Nos. 90, et al., October Term, 1967), but no mandate has yet been issued by the Court of Appeals. Had the mandate been received and the stay granted by that court been dissolved, Thornton's filing would be subject to rejection as inconsistent with its small producer certificate.

FEDERAL RESERVE SYSTEM

NORTHLAND BANCSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842 (a)(1)), by Northland Bancshares, Inc., Bridgeton, Mo., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of each of the following banks: Mark Twain State Bank, Bridgeton, Mo., and South County Bank, St. Louis County, Mo. Applicant presently owns 97.5 percent of the voting shares of Northland Bank, Jennings, Mo.

Section 3(c) of the Act, as amended: *Provides*, That the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

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

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

Dated at Washington, D.C., this 11th day of July 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-8528; Filed, July 17, 1968; 8:46 a.m.]

TENNESSEE FINANCIAL CORP.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors

of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842 (a)(1)), by Tennessee Financial Corp., Kingsport, Tenn., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of 50.1 percent or more of the voting shares of Carter County Bank of Elizabethton, Tennessee, Elizabethton, Tenn. Applicant presently owns 31.98 percent of the voting shares of First Peoples Bank, Johnson City, Tenn.

Section 3(c) of the Act, as amended: *Provides*, That the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

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

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

Dated at Washington, D.C., this 11th day of July 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-8529; Filed, July 17, 1968; 8:46 a.m.]

WACHOVIA BANK AND TRUST CO.

Order Approving Merger of Banks

In the matter of the application of Wachovia Bank and Trust Co. for approval of merger with The State Bank.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by Wachovia Bank and Trust Co., Winston-Salem, N.C., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and The State Bank, Lau-

rinburg, N.C., under the charter and title of Wachovia Bank and Trust Co. As an incident to the merger, the five offices of The State Bank would become branches of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger,

It is hereby ordered, for the reasons set forth in the Board's statement of this date, that said application be and hereby is approved: *Provided*, That said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order.

Dated at Washington, D.C., this 11th day of July 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-8530; Filed, July 17, 1968; 8:46 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Procurement Regs., Temporary
Reg. 15]

GRANTS AND CONTRACTS WITH EDUCATIONAL INSTITUTIONS

Costs

To: Heads of Federal Agencies.

Subject: Bureau of the Budget Circulars A-21, Revised, and A-88.

1. *Purpose*. This regulation amends the provisions of the Federal Procurement Regulations pertaining to grants and contracts with educational institutions with respect to (1) the determination of costs applicable to research and development, and (2) the determination of indirect cost rates and auditing.

2. *Effective date*. This regulation is effective immediately.

3. *Expiration date*. Unless revised or canceled earlier by FPR amendment, this regulation expires January 1, 1970.

4. *Background*. a. Subpart 1-15.3, Principles for Determining Costs Applicable to Research and Development under Grants and Contracts with Educational Institutions, reflects the provisions of Bureau of the Budget Circular

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Richmond. Dissenting Statement of Governors Robertson, Maisel and Brimmer also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin and Governors Mitchell, Daane, and Sherrill. Voting against this action: Governors Robertson, Maisel, and Brimmer.

A-21, Revised, March 3, 1965. The Bureau further revised the provisions of Circular A-21 on June 1, 1968.

b. The Bureau of the Budget on May 15, 1968, issued Circular A-88 for the purpose of coordinating the establishment of indirect cost rates for, and the auditing of Federal grants and contracts with, educational institutions.

5. *Explanation of changes.* Pending amendment of the Federal Procurement Regulations, compliance with the provisions of the FPR is not required, to the extent that such provisions are inconsistent with Bureau of the Budget Circulars A-21, Revised, dated June 1, 1968, and A-88, dated May 15, 1968.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

JULY 11, 1968.

[F.R. Doc. 68-8552; Filed, July 17, 1968;
8:43 a.m.]

RENEGOTIATION BOARD

GENERAL COUNSEL

Compensation

Pursuant to the provisions of section 309 of Public Law 88-426, of sections 211(b) and 216 of Public Law 90-206, and of Executive Order 11413, the General Counsel of The Renegotiation Board shall receive compensation at the rate of \$28,000 per annum, effective July 14, 1968. In the event that the salary rate for Level V of the Executive Schedule in section 5316 of title 5, United States Code is increased, the General Counsel shall receive compensation equal to such salary rate for Level V, but not to exceed \$30,239 per annum, effective as of the effective date of such increase in the salary rate for Level V.

Dated: July 12, 1968.

LAWRENCE E. HARTWIG,
Chairman.

[F.R. Doc. 68-8522; Filed, July 17, 1968;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4651]

DELMARVA POWER & LIGHT COM- PANY OF MARYLAND AND DEL- MARVA POWER & LIGHT CO.

Notice of Proposed Issue and Sale of Principal Amount of Promissory Notes by Subsidiary Public-Utility Company and Acquisition and Pledge Thereof by Parent Regis- tered Holding Company

JULY 12, 1968.

Notice is hereby given that Delmarva Power & Light Co. ("Delmarva"), 600 Market Street, Wilmington, Del. 19899, a registered holding company and a public-utility company, and its subsidiary

company, Delmarva Power & Light Company of Maryland ("Maryland"), a public-utility company, all of whose outstanding securities are owned by Delmarva, have filed with this Commission a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9(a), 12(d), and 12(f) of the Act and Rules 43 and 44 thereunder as applicable to the proposed transactions. All interested persons are referred to said joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

From time to time prior to August 31, 1970, Maryland proposes to issue and sell to Delmarva for cash its promissory notes due October 1, 1973, in an aggregate principal amount not in excess of \$5,500,000. The notes will bear interest at 6.4 percent, but, at such time as Delmarva shall market its next issue of bonds, all notes thereafter issued by Maryland shall bear interest equal to the cost of money to Delmarva under such bond issue, rounded to the nearest one tenth of 1 percent. The notes will be pledged by Delmarva with Chemical Bank New York Trust Co., Trustee, in accordance with the provisions of the Mortgage and Deed of Trust of Delmarva to Chemical Bank New York Trust Co., Trustee, dated as of October 1, 1943, relating to Delmarva's first mortgage and collateral trust bonds.

Maryland will use the proceeds derived from the sale of the notes to reimburse its treasury for moneys previously expended for construction requirements and to provide funds for future construction expenditures. Proposed additions to Maryland's property and plant are estimated at \$5,710,609 for 1968, \$6,506,902 for 1969, and \$5,268,000 for 1970.

It is stated that, other than miscellaneous traveling expenses, the expenses in connection with the proposed transactions, including legal expenses estimated at not in excess of \$750, will be nominal.

A joint application has been filed by Maryland and Delmarva with the Public Service Commission of Maryland, the State commission of the State in which Maryland is organized and doing business, for authorization of the proposed transactions. A copy of the order of that commission, when entered, will be filed by amendment in this proceeding.

Notice is further given that any interested person may, not later than July 31, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the

point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 68-8517; Filed, July 17, 1968;
8:45 a.m.]

[70-4652]

DELMARVA POWER & LIGHT COM- PANY OF VIRGINIA AND DEL- MARVA POWER & LIGHT CO.

Notice of Proposed Issue and Sale of Principal Amount of Promissory Notes by Subsidiary Public-Utility Company and Acquisition and Pledge Thereof by Parent Regis- tered Holding Company

JULY 12, 1968.

Notice is hereby given that Delmarva Power & Light Co. ("Delmarva"), 600 Market Street, Wilmington, Del. 19899, a registered holding company and a public-utility company, and its subsidiary company, Delmarva Power & Light Company of Virginia ("Virginia"), a public-utility company, all of whose outstanding securities are owned by Delmarva, have filed with this Commission a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9(a), 12(d), and 12(f) of the Act and Rules 43 and 44 thereunder as applicable to the proposed transactions. All interested persons are referred to said joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

From time to time prior to August 31, 1970, Virginia proposes to issue and sell to Delmarva for cash its promissory notes due October 1, 1973, in an aggregate principal amount not in excess of \$1,500,000. The notes will bear interest at 6.4 percent, but, at such time as Delmarva shall market its next issue of bonds, all notes thereafter issued by Virginia shall bear interest equal to the cost of money to Delmarva under such bond issue, rounded to the nearest one tenth of 1 percent. The notes will be pledged by Delmarva with Chemical Bank New York Trust Co.,

Trustee, in accordance with the provisions of the Mortgage and Deed of Trust of Delmarva to Chemical Bank New York Trust Co., Trustee, dated as of October 1, 1943, relating to Delmarva's first mortgage and collateral trust bonds.

Virginia will use the proceeds derived from the sale of the notes to reimburse its treasury for moneys previously expended for construction requirements and to provide funds for future construction expenditures. Proposed additions to Virginia's property and plant are estimated at \$602,064 for 1968, \$1,006,515 for 1969, and \$992,000 for 1970.

It is stated that, other than miscellaneous traveling expenses and a filing fee of the State Corporation Commission of Virginia in the amount of \$250, the expenses in connection with the proposed transactions, including legal expenses estimated at not in excess of \$250, will be nominal.

A joint application has been filed by Virginia and Delmarva with the State Corporation Commission of Virginia, the State commission of the State in which Virginia is organized and doing business, for authorization of the proposed transactions. A copy of the order of that commission, when entered, will be filed by amendment in this proceeding.

Notice is further given that any interested person may, not later than July 31, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-8518; Filed, July 17, 1968; 8:45 a.m.]

GOLDEN AGE MINES, LTD.

Order Suspending Trading

JULY 12, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Golden Age Mines, Ltd., 250 University Avenue, Toronto, Canada, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 15, 1968, through July 24, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-8519; Filed, July 17, 1968; 8:45 a.m.]

PLANET OIL AND MINERAL CORP.

Order Terminating Summary Suspension of Trading

JULY 12, 1968.

The common stock of Planet Oil and Mineral Corp., 700 Fidelity Union Tower, Dallas, Tex. 75201, being traded otherwise than on a national securities exchange; and

The Commission having, on July 9, 1968, issued an order pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934 summarily suspending trading in said security in the over-the-counter market effective for the period July 10, 1968, through July 19, 1968, inclusive; and

The Commission being of the opinion that the public interest does not require the continuance of said suspension of trading after July 17, 1968;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that the suspension of trading pursuant to said order of July 9, 1968, shall terminate effective at the close of business on July 17, 1968.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-8520; Filed, July 17, 1968; 8:45 a.m.]

[70-4653]

VERMONT YANKEE NUCLEAR POWER CORP. ET AL.

Notice of Proposed Issue, Sale and Acquisition of Common Stock of Public-Utility Company

JULY 12, 1968.

In the matter of Vermont Yankee Nuclear Power Corp., 77 Grove Street, Rutland, Vt. 05701, New England Power Co., the Connecticut Light and Power Co.,

the Hartford Electric Light Co., Montaup Electric Co., Western Massachusetts Electric Co., 70-4653.

Notice is hereby given that Vermont Yankee Nuclear Power Corp. ("Vermont Yankee"), an electric utility company and an indirect subsidiary company of both Northeast Utilities ("Northeast") and New England Electric System ("NEES"), registered holding companies; New England Power Co. ("NEPCO"), an electric utility subsidiary company of NEES; Western Massachusetts Electric Co. ("WMECO"), the Connecticut Light and Power Co. ("CL&P"), and the Hartford Electric Light Co. ("Hartford"), three public-utility subsidiary companies of Northeast; and Montaup Electric Co. ("Montaup"), an electric-utility subsidiary company of Eastern Utilities Associates, a registered holding company, have filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9(a), and 10 of the Act as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Vermont Yankee is constructing a nuclear-powered electric generating plant with a net expected capacity of approximately 540 megawatts. Upon commencement of commercial operation, scheduled for 1971, all of the net energy output of the plant will be purchased by Vermont Yankee's 10 stockholder companies ("sponsor companies"). The total capital cost of the plant, including the cost of the initial inventory of nuclear fuel of about \$20 million, is estimated at \$135 million.

Pursuant to authorization heretofore granted by the Commission (Holding Company Act Release No. 15958 (Feb. 6, 1968) and No. 16053 (May 1, 1968)), Vermont Yankee issued and sold to the sponsor companies 200,000 shares of its \$100 par value common stock for an aggregate consideration of \$20 million. In the present filing, Vermont Yankee proposes to issue and sell an additional 200,000 shares to sponsor companies at \$100 per share or for an aggregate consideration of \$20 million. Such additional shares, which will be issued and sold from time to time prior to July 1, 1971, will be acquired by the sponsor companies in proportion to the present interest of each in Vermont Yankee, as shown below:

Sponsor company	Percentage of stock ownership	Number of shares to be acquired
Central Vermont Public Service Corp.	35.0	70,000
Green Mountain Power Corp.	20.0	40,000
New England Power Co.	20.0	40,000
The Connecticut Light & Power Co.	4.0	12,000
Central Maine Power Co.	4.0	8,000
Public Service Co. of New Hampshire	4.0	8,000
The Hartford Electric Light Co.	3.5	7,000
Cambridge Electric Light Co.	2.5	5,000
Montaup Electric Co.	2.5	5,000
Western Massachusetts Electric Co.	2.5	5,000
Total	100.0	200,000

The proposed acquisitions of Vermont Yankee's common stock by NEPCO, CL&P, Hartford, WMECO, and Montauk require approval by the Commission; the acquisitions by the other sponsor companies do not require such approval. Vermont Yankee will use the proceeds from the proposed issuance and sale of its common stock solely for the purpose of financing its business as an electric utility company. The filing states that the balance of Vermont Yankee's capital requirements will be obtained through bank loans and the sale of senior securities, such further financing to be the subject of future filings with the Commission except for \$5 million of bank loans heretofore authorized (Holding Company Act Release No. 16084 (June 10, 1968)).

The expenses of Vermont Yankee in connection with the proposed issue and sale of common stock are estimated to aggregate \$9,500, including legal fees and expenses of \$5,500; the expenses of the applicant sponsor companies in connection with their proposed acquisitions of common stock are to be filed by amendment. The Vermont Public Service Board has jurisdiction over the proposed issue of common stock by Vermont Yankee, and the Massachusetts Department of Public Utilities has jurisdiction over the acquisition of the Vermont Yankee common stock by the Massachusetts sponsor companies. It is stated that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 31, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-8521; Filed, July 17, 1968;
8:46 a.m.]

DEPARTMENT OF LABOR

Bureau of Labor Standards

[No. MSVAR 13]

NORTHERN METAL CO.

Order Granting Variation

The applicant identified below has shown that practical difficulties and unnecessary hardships have arisen in the peculiar circumstances of its operations from the application of 29 CFR 1504.93(a) (1) and (2), and I find that inasmuch as the average carbon monoxide concentration for any 8-hour period will not exceed 50 parts per million, the purpose of the regulation will be served by the variation specified below and the safety of employees equally secured thereby.

Name and address of applicant. Pursuant to section 41(d) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1444, as amended, 33 U.S.C. 941(d)) and the provisions of 29 CFR 1504.5 and 1507.6 a variation from particular provisions of 29 CFR Part 1504 is hereby granted to Northern Metal Co., Milnor and Bleigh Streets, Philadelphia, Pa. 19136.

Provisions of 29 CFR Part 1504 varied. The provisions of 29 CFR 1504.93(a) (1) and (2) requiring that employees be removed from a compartment when the carbon monoxide concentration exceeds 100 parts per million (0.01 percent), and that a record of the date, time, location and results of all carbon monoxide tests required be maintained for at least 30 days after the work is completed, are varied insofar as applicable to those of the company's operations in loading and discharging the G.T.S. Adm. Wm. M. Callaghan, subject to the conditions stated herein.

Conditions of variation. Employees need not be removed from any compartment as a result of carbon monoxide concentration and records of every test made for carbon monoxide need not be kept when the following conditions are met:

(1) The vessel's fixed ventilation system is operating at designed capacity in any compartment involved and the installed continuous carbon monoxide testing system is operating

(2) The carbon monoxide concentration at any station involved has not persisted at a level over 100 parts per million for a longer period than 5 minutes.

(3) In the event the carbon monoxide concentration at any station exceeds 100 parts per million for longer than 5 minutes, the alarm in the compartment in which the station is located shall be sounded. Such sounding of the alarm is

intended to be a signal to the employees in the affected compartment only.

(4) The employees shall be instructed that upon the sounding of the alarm, any internal combustion engines operating in the affected compartment are to be stopped, and the employees are to congregate in the vicinity of the blower outlet(s) until the carbon monoxide concentration has fallen below 100 parts per million.

(5) The record of date, time, location, and results of the tests need be maintained for only those series of tests at single stations which indicate concentrations of carbon monoxide exceeding 100 parts per million for a period of 3 minutes or more.

Period of variation. The variation shall be effective until terminated. See 29 CFR 1507.11.

Signed at Washington, D.C. this 10th day of July 1968.

DAVID A. SWANKIN,
Director,
Bureau of Labor Standards.

[F.R. Doc. 68-8531; Filed, July 17, 1968;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1200]

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

JULY 12, 1968.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts,

¹ Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rules, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

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

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

No. MC 2860 (Sub-No. 29), filed June 28, 1968. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air coolers and fans, combined, and parts; air conditioners and parts; air heaters; baseboard heating units and parts; compressors or pumps, gas or liquid, and parts; cooling or freezing boxes and parts; furnaces, gas and electric, house heating, and parts; generators and motors; radiators, hot water or steam; and washing and drying machines, laundry, household*, from Edison, N.J., to points in Florida and *refused and rejected shipments on return*. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 3083 (Sub-No. 36), filed July 5, 1968. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, 277 Monroe Avenue, Post Office Box 66, Memphis, Tenn. 38103. Applicant's representative: James W. Wrape, 2111

Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency, and negotiable securities* in armored vehicles, from Memphis, Tenn., to points in Green County, Ark., under contract with Federal Reserve Bank of St. Louis (Memphis Branch). NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 3083 (Sub-No. 37), filed July 5, 1968. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, 277 Monroe Avenue, Memphis, Tenn. 38103. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency, and negotiable securities*, in armored vehicles, between Charlotte, N.C., on the one hand, and, on the other, points in Allendale, Bamberg, Barnwell, Berkeley, Calhoun, Hampton, and Jasper Counties, S.C., under contract with Federal Reserve Bank of Richmond, Va. (Charlotte Branch). NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 4405 (Sub-No. 461) (Correction), filed June 20, 1968, published in the FEDERAL REGISTER issue of July 11, 1968, and republished, as corrected this issue. Applicant: DEALERS TRANSIT, INC., 7701 South Lawndale Avenue, Chicago, Ill. 60652. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cable reel carriers and self-propelled power hammers and material handlers*, from Denver, Colo., to points in the United States (excluding Colorado, Alaska, and Hawaii). NOTE: The purpose of this republication is to show that Colorado is also among the States to be excluded in the destination territory as well as Alaska and Hawaii, and which was inadvertently omitted in previous publication. Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 4519 (Sub-No. 7), filed July 1, 1968. Applicant: PANAMA TRANSFER, INCORPORATED, Panama, Iowa 51562. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), between Omaha, Nebr., and Manning, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Manning, Iowa.

No. MC 8973 (Sub-No. 12), filed July 5, 1968. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, N.J. 07047. Applicant's representative: Charles J. Williams, 47

Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, asphalt and composition roofing products, composition boards, urethane and urethane products, insulating materials, plastic resin and products thereof, and materials, accessories, and supplies* used in the installation of the above-named commodities (except commodities in bulk), from the plant site of the Celotex corporation at Edgewater, N.J., to points in New York, Massachusetts, Rhode Island, Delaware, Vermont, West Virginia, Virginia, Maryland, New Hampshire, and Ohio, and *returned, refused, and rejected shipments on return*. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., Washington, D.C., or New York, N.Y.

No. MC 10761 (Sub-No. 227), filed June 28, 1968. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Dana Corp. plant sites at Auburn, Ind., and Pottstown, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio.

No. MC 20841 (Sub-No. 4), filed June 27, 1968. Applicant: MARATHON FREIGHT LINES, INC., 2400 83d Street, North Bergen, N.J. 07047. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities used by or sold in grocery or department stores*, but not limited to shipments destined to grocery or department stores (except furniture and commodities in bulk), from the plant site of General Warehouse Corp., at North Bergen, N.J., to points in Rockland and Orange Counties, N.Y., restricted to shipments which originate at said plant site. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 28956 (Sub-No. 15), filed June 27, 1968. Applicant: G. P. RYALS, doing business as RYALS TRUCK SERVICE, Post Office Box 634, Albany, Oreg. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea and dry fertilizer*, from Portland, Oreg., to points in Washington and Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 30837 (Sub-No. 355), filed July 2, 1968. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Paul F. Sullivan, Colorado Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truck cranes and truck crane chassis*, in initial movements, in driveway service, from Duluth, Minn., to points in the United States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 32367 (Sub-No. 18), filed July 2, 1968. Applicant: TED OCHSNER AND H. V. SPIELMAN, a partnership, doing business as RED AND WHITE TRANSFER, 607 South Burlington, Hastings, Nebr. 68901. Applicant's representative: Richard A. Peterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural and industrial machinery and equipment, and parts thereof*, between Hastings, Nebr., on the one hand, and, on the other, points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Kentucky, Michigan, Tennessee, North Carolina, South Carolina, Alabama, Georgia, Florida, Mississippi, Louisiana, Arkansas, Wisconsin, Arizona, New Mexico, Nevada, California, Idaho, Utah, Washington, and Oregon; (2) *tubing*, from Delta, Ohio, to Hastings, Nebr., under contract with Western Land Roller Co., Hastings, Nebr.; and, (3) *truck bodies* from Hastings, Nebr., to Kalamazoo, Mich., under contract with E. R. Schwartz Manufacturing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 45736 (Sub-No. 33), filed June 21, 1968. Applicant: GUIGNARD FREIGHT LINES, INC., Highway 21 North, Post Office Box 26067, Charlotte, N.C. 28206. Applicant's representative: H. Charles Ephraim, 1411 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oils and greases*, in containers, from St. Marys, W. Va., to Concord, N.C. NOTE: Applicant states it intends to tack with its existing authority in MC 45736, at Concord, N.C., to serve points in South Carolina and those in North Carolina within 225 miles of Concord, N.C. Applicant further states that the effect of authority sought herein is to eliminate the necessity of operating via Bristol, Tenn.-Va., on shipments from St. Marys, W. Va., to points in South Carolina and those in North Carolina within 225 miles of Concord, but continuing the requirement that such operations be conducted via Concord. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 51146 (Sub-No. 99), filed June 26, 1968. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306.

Applicant's representative: Donald F. Martin, 817 McDonald Street, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, container ends, and accessories; and material and supplies* used in connection with the manufacture and distribution of metal containers and container ends when moving with metal containers and container ends, from Minneapolis-St. Paul commercial zone to points in Wisconsin, Iowa, Upper Peninsula Michigan, South Dakota and North Dakota. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 100), filed July 1, 1968. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representative: Donald F. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products; products produced or distributed by manufacturers and converters of paper and paper products* (except commodities in bulk, in tank or hopper type vehicles), (a) from Williamsburg, Pa.; Springfield, Mass.; Enfield and Rockville, Conn.; to points in Ohio, Indiana, Illinois, Iowa, Wisconsin, and Minnesota; (b) from Indianapolis, Ind., to points in Illinois, Wisconsin, Minnesota, Iowa, and Ohio, and returned and rejected shipments, on return. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 51146 (Sub-No. 101), filed July 1, 1968. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representative: Donald F. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, container ends and accessories; and materials and supplies* used in connection with the manufacture and distribution of metal containers and container ends, from Cambridge, Md., Danbury, Conn., Edison, N.J., Fairless and Hanover, Pa., New York City, N.Y., and its commercial zone, as defined by the Commission, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52458 (Sub-No. 215), filed June 27, 1968. Applicant: T. I. McCORMACK TRUCKING CO., INC., Post Office Box 1047, 4107 Bells Lane, Louisville, Ky. 40201. Applicant's representative: Harris G. Andrews (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from Adams, Mass., to points in Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode

Island, and Vermont. NOTE: Applicant indicates tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 69116 (Sub-No. 113), filed July 5, 1968. Applicant: SPECTOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill. 60606. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Carbon blacks*, except in bulk, serving Sterlington, La., as an off-route point in connection with applicant's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 73688 (Sub-No. 26), filed June 27, 1968. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Road, Post Office Box 7182, Memphis, Tenn. 38107. Applicant's representative: Charles H. Hudson, Jr., 833 Stahlman Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials* (except lumber, steel, and commodities in bulk), between Lockland, Ohio, on the one hand, and, on the other, points in Kentucky and Tennessee, and (2) *roofing materials, asphalt, insulating material, and accessories* thereto, not to exceed 10 percent of the total weight of the shipment (except lumber, steel, and commodities in bulk), from Memphis, Tenn., to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Cincinnati, Ohio.

No. MC 80428 (Sub-No. 67), filed June 28, 1968. Applicant: McBRIDE TRANSPORTATION, INC., 289 West Main Street, Goshen, N.Y. 10924. Applicant's representative: Robert V. Gianniny, 900 Midtown Tower, Rochester, N.Y. 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, nonalcoholic drink preparations, flavoring syrups, prepared dry food mixes, dietary food preparations*, from Binghamton, N.Y., to points in Pennsylvania and refused, rejected, and returned merchandise, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Philadelphia, Pa., or New York, N.Y.

No. MC 95490 (Sub-No. 29), filed June 28, 1968. Applicant: UNION CARTAGE COMPANY, a corporation, 9A Southwest Cutoff, Worcester, Mass. 01604. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and related advertising materials, from Natick, Mass., to points in Maine. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 103051 (Sub-No. 217), filed July 1, 1968. Applicant: FLEET TRANSPORT COMPANY, INC., 1000 44th Avenue North, Post Office Box 7645,

Nashville, Tenn. 37209. Applicant's representative: R. J. Reynolds, Jr., 604-09 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from points in Robertson County, Tenn., to points in Alabama, Georgia, South Carolina, North Carolina, Kentucky, Virginia, Indiana, Illinois, Missouri, Arkansas, Michigan, Mississippi, Ohio, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 103880 (Sub-No. 398), filed July 3, 1968. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in tank vehicles, from the plantsite and storage facilities of Occidental Chemical Co. at Kenton, Ohio, to port of entry on the international boundary line between the United States and Canada located at or near Detroit, Mich., restricted to shipments destined to points in Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 106194 (Sub-No. 25), filed July 1, 1968. Applicant: HORN TRANSPORTATION, INC., 1119 West 24th Street, Kansas City, Mo. 64108. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled power hammers and material handlers*, and (2) *cable reel trailers with or without attachments, accessories, or parts*, in initial movement in truckaway service, from Denver, Colo., to points in the United States, except Alaska, Colorado, and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 106398 (Sub-No. 367), filed June 28, 1968. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings*, equipped with a hitchball connector, from Vicksburg, Miss., to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 106398 (Sub-No. 368), filed June 28, 1968. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles and sectionalized buildings, from points in Lancaster County, S.C., to points in the United States excluding Hawaii. NOTE: Common control

and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 106920 (Sub-No. 28) (Correction), filed June 24, 1968, published FEDERAL REGISTER issue of July 11, 1968, corrected and republished as corrected this issue. Applicant: RIGGS FOOD EXPRESS, INC., Post Office Box 26, West Monroe Street, New Bremen, Ohio 45869. Applicant's representative: Carroll V. Lewis, 122 East North Street, Sidney, Ohio 45365. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* as described in appendix I to the report in *Description in Motor Carrier Certificates* 61 MCC-209, *poultry, and poultry parts; turkey, and turkey parts* (with or without other ingredients), *cooked or not cooked, frozen; chicken eggs* (in shell); *ice cream mix* (dry), *returnable pallets, advertising materials, and repacking materials* pertinent to the above named commodities; from Dubuque and Hudson, Iowa, and, Albert Lea, Alexandria, Faribault, Farmington, Lakefield, Litchfield, Mountain Lake, New Richland, Owatonna, Pine City, Pine Island, Rochester, Goodhue, New Prague, Buffalo, Howard Lake, Monticello, Winnamingo, Minneapolis, and St. Paul, Minn., and, Chippewa Falls, Eau Claire, Greenwood, Marshfield, Monroe, Reedsburg, Sauk City, Spencer, Union Center, Whitehall, Wyocena, Turtle Lake, Barron, Boyceville, Jim Falls, and Richland Center, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Common control may be involved. The purpose of this republication is to show the correct commodity description as turkey and turkey parts (with or without other ingredients) in lieu of turkey and turkey parts (without other ingredients) as previously published. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 107496 (Sub-No. 669), filed July 1, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, from Kansas City, Kans., to points in Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Des Moines, Iowa.

No. MC 108341 (Sub-No. 21), filed July 1, 1968. Applicant: MOSS TRUCKING COMPANY, INC., 3027 North Tryon Avenue, Charlotte, N.C. 28208. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products, building materials, and commodities* used in the manufacture of the above commodities, between

Plasterco, Va., on the one hand, and, on the other, points in West Virginia, South Carolina, Georgia, Alabama, Kentucky west of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 231 to Bowling Green, Ky., thence along U.S. Highway 31W to Louisville, Ky., thence along U.S. Highway 42 to the Kentucky-Ohio State line near Cincinnati, Ohio, Tennessee west of U.S. Highway 231. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 108676 (Sub-No. 24), filed July 3, 1968. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, Tenn. 37917. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from Clinton, Tenn., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Indiana, Illinois, Iowa, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Texas, Virginia, West Virginia, and the District of Columbia, and (2) *equipment, materials, and supplies* used in the manufacturing and processing of iron and steel articles (except commodities in bulk), from the destination territory in (1) above to Clinton, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 110420 (Sub-No. 567), filed June 25, 1968. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Fred H. Fige, Post Office Box 339, Burlington, Wis. 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter*, from Burlington, Wis., to points in Illinois, Indiana, and Missouri, restricted to traffic originating at Burlington, Wis., and destined to the named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis., or Chicago, Ill.

No. MC 114848 (Sub-No. 41) (Correction), filed June 21, 1968, published FEDERAL REGISTER issue July 11, 1968, and republished as corrected this issue. Applicant: WHARTON TRANSPORT CORPORATION, 1498 Channel Avenue, Memphis, Tenn. 38106. Applicant's representative: James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, in bulk, from Memphis, Tenn., and North Little Rock, Ark., to points in Alabama, Arkansas, Illinois, Kentucky, Missouri, Mississippi, and Tennessee. NOTE: The purpose of this republication is to show the origin as North Little Rock, Ark., in lieu of Little Rock, Ark., as previously published. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 115311 (Sub-No. 88), filed July 1, 1968. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representatives: Paul M. Daniell and Alan E. Serby, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement, mortar mixes, rock or stone, sand, cold mixed asphalt, vinyl concrete patcher, lime, masonry coating, tile grout, hydraulic cement, acrylic paint, adhesive, and advertising materials*, from Atlanta, Ga., and Lilesville, N.C., to points in Michigan, Illinois, Indiana, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 115841 (Sub-No. 331) (Amendment), filed May 3, 1968, published in FEDERAL REGISTER issue of May 23, 1968, amended July 1, 1968, and republished as amended this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials and film or sheeting other than cellulose (except in bulk in tank vehicles)* in vehicles with mechanical refrigeration, from Aberdeen and Havre de Grace, Md., to Charleston, S.C., Fort Worth, Irving, and Benbrook, Tex., Marietta, Ga., Nashville, Tenn., and Wichita, Kans. NOTE: The purpose of this republication is to redescribe the commodity description. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 116077 (Sub-No. 239), filed July 1, 1968. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9527, Houston, Tex. 77011. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products used in the agricultural, water treatment, food processing, wholesale grocery and institutional supply industries, when shipped in mixed loads with salt and salt products (otherwise authorized), from the plantsite of Morton Salt, Inc., Weeks Island, La., to points in Arkansas, Louisiana, Mississippi, and Texas.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or New Orleans, La.

No. MC 116763 (Sub-No. 132), filed June 26, 1968. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Furnaces, furnace radiators, air conditioners, air cleaners, coolers, heaters, roof fasteners, and (2) parts and accessories used in the installation of items named in (1) above, from Bryan, Ohio, to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont; Jackson and Meridian, Miss., and New Orleans, La.* NOTE: Ap-

plicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 118838 (Sub-No. 9) (Amendment), filed May 29, 1968, published in FEDERAL REGISTER issue of June 20, 1968, amended July 1, 1968, and republished as amended this issue. Applicant: GABOR TRUCKING, INC., Post Office Box 538, Detroit Lakes, Minn. 56501. Applicant's representatives: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102, and Thomas F. Kilroy, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed, poultry feed, animal and poultry feed ingredients (except molasses and liquid commodities in bulk, in tank vehicles), (1) from Mankato, Dawson, and Cold Spring, Minn., Belmond, and Montpelier, Iowa, and the plantsites of C. K. Processing Co., River Terminal Corp., and Grain Processing Corp., at or near Muscatine, Iowa, to ports of entry on the international boundary line between the United States and Canada located in Minnesota, North Dakota, and Montana, and (2) from Savage and Minneapolis, Minn., to ports of entry on the international boundary line between the United States and Canada located in North Dakota, and Montana, restricted to service in foreign commerce in connection with (1) and (2) above.* NOTE: Common control and dual operations may be involved. The purpose of this republication is to add the origin points of Dawson and Cold Spring, Minn. If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 119196 (Sub-No. 1), filed June 30, 1968. Applicant: W. KELLY GREGORY, INC., 4800 Hollins Ferry Road, Baltimore, Md. 21227. Applicant's representative: William J. Little, Fidelity Building, Baltimore, Md. 21201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, (1) between Florence (Burlington County), N.J., on the one hand, and, on the other, points within the territory bounded by a line beginning at New Castle, Del., and extending south along the west shore of Delaware Bay and the Atlantic Ocean to Cape Charles, Va., thence north along the east shore of Chesapeake Bay to Stevensville, Md., thence across Chesapeake Bay to Annapolis, Md., thence in a northwesterly direction to Damascus, Md., thence in a southwesterly direction to the Potomac River at a point 1 mile south of Seneca, Md., thence along the east bank of the Potomac River to Hancock, Md., thence north to Warfordsburg, Pa., thence in a northeasterly direction through Mercersburg, Chambersburg, and Carlisle to Roseglan, Pa., thence east to Fredericksburg, Pa., thence south through Lebanon and Manheim, Pa., to the Susquehanna River at a point 5 miles north of Airville,*

Pa., thence in a southeasterly direction along the east bank of the Susquehanna River to the Pennsylvania-Maryland State line, thence east and south along the Pennsylvania-Maryland-Delaware State lines in a point 1 mile northeast of Elkton, Md., and thence east to New Castle, including the points named.

(2) Between Florence (Burlington County), N.J., on the one hand, and, on the other, points within the territory bounded by a line beginning at Annapolis, Md., and extending south along the west shore of Chesapeake Bay to Point Lookout, Md., thence in a northwesterly direction along the northeast bank of the Potomac River to Rock Point, Md., thence across the Potomac River to Colonial Beach, Va., thence west through Fredericksburg, Orange, Harrisonburg, and Rawley Springs, Va., to the Virginia-West Virginia State line at a point 8 miles northwest of Rawley Springs, thence in a northeasterly direction along the Virginia-West Virginia State line to Ridge, W. Va., a point 2 miles beyond said State line, thence in a northwesterly direction to Paw Paw, W. Va., thence along the south bank of the Potomac River to a point directly west of Dickerson, Md., thence in northwesterly direction to Ridgeville, Md., and thence in a southeasterly direction through Laurel, Md., to Annapolis, including the points named, under contract with the Great Atlantic and Pacific Tea Co. Inc. Restriction: The above-described operations must be performed under special and individual contracts or agreements with persons (as defined in section 203(a) of the Interstate Commerce Act) who operate retail stores, the business of which is the sale of food for the transportation of the commodities specified and in the manner indicated. Any repetition in the statement of the authority granted herein shall not be construed as conferring more than one operating right.

No. MC 119317 (Sub-No. 30), filed July 1, 1968. Applicant: GROSS AND SONS TRANSPORT COMPANY, a corporation, 9804 East 36th Street, Post Office Box 665, Independence, Mo. 64052. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and ice cream, sherbet, ice milk, vegetable fat, frozen desserts, ice cream novelties, buttermilk, homogenized milk, chocolate drink (fat free), half and half, bulk cream and condensed, condensed and skim milk powder, cream, low fat milk, orange drink, lemonade, fresh orange, 50 percent orange juice, butter, margarine, sour cream, sour half and half, french onion dip, puddings, salads, fruits (fresh and frozen), eggs (fresh and frozen), zip whipt, half and half creamers, cottage cheese, yogurt, dehydrated whey solids, sugar, stabilizers, food acids, flavors, confections, nuts, syrup, chocolate, cocoa, paper supplies, dry ice, ice cream and milk containers, artificial sweetening agents, emulsifiers, dehydrated milk*

solids, office supplies, buttermilk powder, poly overwrap, sodium caseinate, candy, soap, bread and miscellaneous premiums, between points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming, under a continuing contract with Seal-test Foods, Division of Nation Dairy Products Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 119907 (Sub-No. 4), filed July 8, 1968. Applicant: PRUITT MOVING AND STORAGE COMPANY, a corporation, 800 West Hardin Street, Findlay, Ohio 45840. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Photo-film, photo-prints*; and (2) *materials and supplies used in the commodities named in (1)*, between Findlay, Ohio, on the one hand, and, on the other, points in the Lower Peninsula of Michigan, under a continuing contract with Eastman Kodak Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 123048 (Sub-No. 138), filed July 1, 1968. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agriculture implements, farm machinery, farm equipment, and agricultural implement parts and attachments, farm machinery parts and attachments, farm equipment parts and attachments, from Bethany, Mo., to points in the United States (except Alaska and Hawaii), and (2) materials, supplies, and equipment used in the manufacture of and processing of agricultural implements, farm machinery and farm equipment, from points in the United States (except Alaska and Hawaii), to Bethany, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City or St. Joseph, Mo.*

No. MC 123067 (Sub-No. 68), filed June 26, 1968. Applicant: M & M TANK LINES, INC., Post Office Box 612, Winston-Salem, N.C. 27102. Applicant's representative: B. M. Shirley (address same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer, in bulk, in tank vehicles, from Rochelle, Ga., to points in Alabama, Florida, and South Carolina. NOTE: Common control may be involved. If a hearing is deemed*

necessary, applicant requests it be held at Atlanta, Ga.

No. MC 123327 (Sub-No. 8), filed July 2, 1968. Applicant: RALPH M. BARTHOLOMEW, doing business as IRELAND TRANSFER & STORAGE CO., 102 Front Street, Ketchikan, Alaska 99901. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods, as defined by the Commission, between points in the Seattle, Wash., commercial zone, on the one hand, and, on the other, points in Alaska, located east of an imaginary line constituting a southward extension of the international boundary line between the United States and Canada over public highways between Seattle, Wash., commercial zone and the Puget Sound Terminal of Alaska Marine Highway System and between said terminal and said points in Alaska over said Alaska Marine Highway System. NOTE: Applicant states it intends to interline shipments with connecting carriers at Seattle, Wash.; Haines, Alaska, and Tok Junction, Alaska. If a hearing is deemed necessary, applicant requests it be held at Ketchikan, Alaska, or Seattle, Wash.*

No. MC 123588 (Sub-No. 3), filed June 28, 1968. Applicant: BRITT BROS. TRUCKING, INC., 275 Water Street, Heppner, Ore. 97836. Applicant's representative: Robert B. Abrams, 274 North Main Street, Heppner, Ore. 97836. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, from points in Wheeler and Morrow Counties, Ore., to Wallula, Wash. NOTE: If a hearing is deemed necessary, applicant does not specify a location.*

No. MC 123681 (Sub-No. 14), filed June 27, 1968. Applicant: WIDING TRANSPORTATION, INC., Post Office Box 97203, Portland, Ore. 97203. Applicant's representative: Earl V. White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, and chemical solutions, in bulk, between points in California, on the one hand, and, on the other, points in Oregon. NOTE: Applicant states it intends to tack the authority sought to that presently held in MC 123681. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.*

No. MC 124078 (Sub-No. 336), filed July 1, 1968. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, dry fertilizer compounds, and dry fertilizer ingredients, in bulk, in tank or hopper type vehicles, from Memphis, Tenn., to points in Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.*

No. MC 124579 (Sub-No. 4), filed July 3, 1968. Applicant: G. EDWARD WIKEL, doing business as WIKEL MILK CARTAGE, Route No. 1, Huron, Ohio 44839. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Methanol, in bulk, in tank vehicles, from Huron, Ohio, and points within 5 miles thereof, to points in Allegheny, Blair, Somerset, Jefferson, Indiana, Clearfield, Westmoreland, Clinton, Erie, Clairton, and Warren Counties, Pa., and Pleasants, Lewis, Brooke, Marshall, and Kanawha Counties, W. Va., and (2) contaminated, rejected, refused, and returned shipments of methanol, in bulk, in tank vehicles, from points in Minnesota, New York (except points in Kings, Queens, Nassau, and Suffolk Counties), Wisconsin, Illinois, Indiana, Michigan and the above described destinations counties in Pennsylvania and West Virginia, to Huron, Ohio, and points within 5 miles thereof. NOTE: Applicant holds contract carrier authority under MC 114377 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.*

No. MC 124954 (Sub-No. 6) filed July 3, 1968. Applicant: LESTER WILLS, doing business as WILLS TRUCK LINE 924 Fifth Place, Sibley, Iowa 51249. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, (1) from Omaha, Nebr., to Sheldon, Iowa, under contract with Bonestroo Distributing Co., and (2) from Omaha, Nebr., to Sioux City, Iowa, under contract with DeDe Beverage Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City or Des Moines, Iowa.*

No. MC 125708 (Sub-No. 91), filed July 5, 1968. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. 62087. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Grinding media, from Kansas City, Mo., and points in its commercial zone as defined by the Commission, to points in the United States (except Alaska and Hawaii), and (2) empty metal containers, between Kansas City, Mo., and points in its commercial zone as defined by the Commission, to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, or St. Louis, Mo.*

No. MC 126039 (Sub-No. 8), filed July 5, 1968. Applicant: MORGAN TRANSPORTATION SYSTEM, INC., U.S. Highways 6 and 15, New Paris, Ind. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel; articles of iron and steel; machinery and other commodities used in the manufacturing, processing, sales, transportation, and distribution thereof, between*

points in Howard County, Ind., on the one hand, and on the other, all points in the United States except Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 126392 (Sub-No. 1), filed June 24, 1968. Applicant: 4-G TRUCKING, INC., Box 237, Leitchfield, Ky. 42754. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Slag*, in bulk, in dump vehicles, from Ashland, Ky., to points in Mason County, W. Va.; and (2) *sand, gravel, and slag*, in bulk in dump vehicles, from points in Scioto County, Ohio, to points in Floyd, Johnson, Lawrence, Martin, and Pike Counties, Ky.; and Logan and Mingo Counties, W. Va.; and (3) *limestone*, in bulk in dump vehicles, from Elkhorn City, Ky., and points within 10 miles thereof, to points in Bland, Buchanan, Carroll, Dickenson, Giles, Grayson, Lee, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties, Va., and Boone, Cabell, Fayette, Kanawha, Lincoln, Logan, McDowell, Mercer, Mingo, Putnam, Raleigh, Summers, Wayne, and Wyoming Counties, W. Va., under contract with The Standard Slag Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127834 (Sub-No. 20), filed July 3, 1968. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-stressed and precast concrete products and accessories used in the installation thereof*, from Nashville and Franklin, Tenn., to points in Alabama, Mississippi, Kentucky, and Cincinnati, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 128233 (Sub-No. 1), filed July 5, 1968. Applicant: OLIE M. ERICKSEN, Post Office Box 107, Transfer, Pa. 16154. Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap metals, processed scrap metals and alloys*, between points in Pymatuning Township, Mercer County, Pa., on the one hand, and, on the other, points in Alabama, California, Colorado, Connecticut, Delaware, Indiana, Louisiana, Maryland, Michigan, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, and West Virginia; and (2) *alloys*, between points in Pymatuning Township, Mercer County, Pa., on the one hand, and, on the other, points in Illinois, Massachusetts, New Jersey, New York, Ohio, and Wisconsin, under a continuing contract or contracts with Mercer Alloys Corp. of Greenville, Pa. NOTE: If a hearing is

deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128503 (Sub-No. 2) (Correction), filed June 18, 1968, published in the FEDERAL REGISTER issue of July 4, 1968, corrected and republished as corrected this issue. Applicant: WORLD-WIDE PET TRAVEL SERVICE, a corporation, 1546 South 53d Street, Philadelphia, Pa. 19143. Applicant's representative: Martin Armstrong, 314 South Lippincott Avenue, Maple Shade, N.J. 08052. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animals*, of all kinds, other than horses for racing or show purposes, such as dogs, cats, monkeys, and reptiles used for pets, resale, research, or exhibit, between points in Delaware, New Jersey, New York, N.Y., points in Nassau County, N.Y., and points in Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa. NOTE: The purpose of this republication is to show that the points in Pennsylvania being served are counties and not cities as shown in previous issue. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Trenton, N.J.

No. MC 129313 (Sub-No. 2), filed June 26, 1968. Applicant: FLANIGAN BROTHERS STORAGE COMPANY, a corporation, 203 North Lake Street, Marquette, Mich. 49855. Applicant's representative: John R. Weber, Longyear Building, Marquette, Mich. 49855. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between Marquette, Mich., on the one hand, and, on the other, K. I. Sawyer Air Force Base, and points in Marquette, Baraga, Houghton, Keweenaw, Alger, Schoolcraft, Delta, Iron, Ontonagon, Gogebic, Dickinson, and Menominee Counties, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Escanaba or Lansing, Mich.

No. MC 129350 (Sub-No. 3), filed June 28, 1968. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, 410 North 10th Street, Post Office Box 212, Billings, Mont. 59101. Applicant's representative: J. F. Meglen, 2822 Third Avenue North, Post Office Box 1581, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods*, from Red Lodge, Mont., to Sheridan, Wyo.; Denver, Pueblo, Fort Lupton, Brighton, and Longmont, Colo.; Seattle and Walla Walla, Wash.; Los Angeles and San Francisco, Calif.; Bismark and Fargo, N. Dak.; Ortonville and Arlington, Minn.; and Durand, Wis.; (2) *canned goods* from Durand, Wis.; Ortonville and Arlington, Minn.; Walla Walla, Wash.; Cowley, Wyo.; Brighton, Longmont, and Fort Lupton, Colo., to Red Lodge, Mont., and (3) *empty container supplies*, from Denver, Colo.; Pocatello, Idaho; and Walla Walla, Wash., to Red Lodge, Mont. NOTE: Applicant has contract carrier authority under MC 129264 and subs thereunder, therefore dual operations may be involved. If a hearing

is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 129671 (Sub-No. 2) (Amendment), filed June 5, 1968, published FEDERAL REGISTER issue of June 20, 1968, and republished as amended this issue. Applicant: MAURICE BUSBY, 825 West El Puente Lane, Post Office Box 7372, Tucson, Ariz. 85713. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products and advertising material* in connection therewith, from Phoenix, Ariz., to Blythe and Needles, Calif., and Parker and Kingman, Ariz., and *empty cartons and racks, stale and rejected products*, on return. NOTE: The purpose of this republication is to add Kingman, Ariz., as a destination point, thereby broadening the scope of the application. If a hearing is deemed necessary, applicant requests it be held at Phoenix or Tucson, Ariz.

No. MC 129786 (Amendment), filed March 22, 1968, published in FEDERAL REGISTER issue of April 11, 1968, and republished, as amended this issue. Applicant: THE TRUMBO TRUCKING CO., a corporation, Post Office Box 743, Route No. 1, Centralia, Ill. 62801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dresses*, on hangers, on racks, unpackaged; and *piece goods*, in bolts, unpackaged on pallets, between Kansas City, Mo., on the one hand, and, on the other, Centralia, Ill., and empty pallets on return, under contract with Gay Gibson, Inc. NOTE: The purpose of this republication is to redescribe the commodity description and to show that applicant is seeking radial authority in lieu of the nonradial operations previously published. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 129808 (Sub-No. 2) (Correction), filed April 3, 1968, published in the FEDERAL REGISTER issue of May 2, 1968, and republished in part, as corrected, this issue. Applicant: GRAND ISLAND CONTRACT CARRIER, INC., Rural Route No. 3, Box 46, Municipal Airport, Grand Island, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, 300 NSEA Building, Post Office Box 2028, Lincoln, Nebr. 68501. The purpose of this partial republication is to show attorney's correct address as above, erroneously shown as Grand Island, Nebr., in the previous publication.

No. MC 129994, filed June 24, 1968. Applicant: RAY BETHERS, Post Office Box 116, Kamas, Utah. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and lumber mill products*; (a) from points in Wasatch County, Utah, to points in California, Denver, and Colorado Springs, Colo., Las Vegas, and Henderson, Nev., and Phoenix, Ariz.;

(b) from the site of a lumber mill located about 3 miles north of Daniel, Wyo., and situated approximately 1 mile west of U.S. Highway 189, to Kamas, Utah; (c) from points in Montana, Idaho, Colorado, and California to points in Utah; (d) from Encampment, Afton, and Riverton, Wyo., to Salt Lake City, Utah, and points within 50 miles thereof; (e) from West Yellowstone and Derby, Mont., and Encampment, Afton, and Riverton, Wyo., to Denver, Colo., and points within 50 miles thereof; (f) from Kamas, Utah, to points in Arizona, California, Colorado and Nevada; (g) from Afton, Wyo., to points in Colorado and Utah; (h) from a lumber mill located approximately 4 miles south of Heber City, Utah, to points in Colorado, Arizona, New Mexico, Nevada, and California. (2) *Utelite* from plantsite of the Utelite Corp. in Three-Mile Canyon near Peoa, Utah, to points in Wyoming, Idaho, Colorado, Nevada, Montana, and Arizona, and (3) *Sheet rock and roofing materials* from Cody, Wyo., to points in Utah. NOTE: Applicant states the purpose of this instant application is to convert all of its contract carrier authority under MC 124899 to common carrier authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 133001, filed July 1, 1968. Applicant: LANDER'S SERVICE, INC., Box 428, Penn Avenue, Penn (Westmoreland County), Pa. 15675. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, and repossessed motor vehicles, trailers, and buses* (except trailers designed to be drawn by passenger automobiles), and *replacement vehicles* for wrecked or disabled motor vehicles, trailers and buses (except trailers designed to be drawn by passenger automobiles), between points in Allegheny, Somerset and Westmoreland Counties, Pa., on the one hand, and, on the other, points in Ohio, Kentucky, Maryland, New York, New Jersey, Indiana, Illinois, Pennsylvania, West Virginia, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 133002, filed July 1, 1968. Applicant: ROBERT W. GROH, R.F.D. No. 1, Storm Lake, Iowa 50588. Applicant's representative: J. Max Harding, 605 South 14th Street, Lincoln, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery supplies*, from Clifton, N.J., to points in Iowa, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin under contract with Globe Products Co. and restricted to traffic originating at the plantsite or warehouses of Globe Products Co., Inc.—its divisions and affiliates of Clifton, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 133004, filed July 1, 1968. Applicant: FALLS CITY TRANSFER COMPANY, a corporation, 11th and Stone Streets, Falls City, Nebr. 68355. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Council Bluffs, Iowa, on the one hand, and, on the other, points in Richardson County, Nebr., and Nemaha, Brown, Doniphan, Atchison, and Jackson Counties, Kans. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 133005, filed June 21, 1968. Applicant: APPOMATTOX TRUCKING COMPANY, INCORPORATED, Post Office Box 714, Appomattox, Va. 24522. Applicant's representative: Bolling Lambeth, Harrison Building, East Main Street, Post Office Box 236, Bedford, Va. 24523. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from Drakes Branch and Appomattox, Va., to points in Michigan, Illinois, Kentucky, Indiana, and Tennessee. NOTE: Applicant holds contract carrier authority under Docket No. MC 114949, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Lynchburg, Richmond, or Roanoke, Va.

No. MC 133006, filed June 25, 1968. Applicant: HOWARD CALLENS, doing business as CALLENS TRUCKING CO., 7519 Egley Avenue, South San Gabriel, Calif. 91777. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such articles and products as are dealt in, manufactured and sold by manufacturers of* (1) *School or other institution articles and equipment*, (2) *fabricated or prefabricated articles or products*, (3) *building equipment, products, articles, and component parts, materials, attachments, and accessories* incidental thereto, and (4) *rejected, refused, or damaged shipments* on return; (5) *commodities*, the transportation of which is partially exempt, pursuant to the provisions of section 203 (b) (6) of the Interstate Commerce Act, when moving in the same vehicle and at the same time with shipments in (4) above, from Harrison, Ark., Hialeah, Fla., Indianapolis, Ind., Battle Creek and Kalamazoo, Mich., Red Bank and Shrewsbury, N.J., Upper Sandusky and Cleveland, Ohio, Philadelphia, Pa., Salt Lake City, Utah, and Norfolk, Va., on the one hand, and, on the other, points in

California, under contract with Builders Specialty Co., Los Angeles, Calif.

No. MC 133016, filed July 5, 1968. Applicant: CLAY A. IVESER, doing business as CLAY IVESER TRUCKING CO., Post Office Box 296, Murphy, N.C. Applicant's representative: Boyce A. Whitmire, Post Office Box 908, Hendersonville, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer*, (a) from Greenville, S.C., to points in Macon, Clay, Cherokee, and Graham Counties, N.C., and (b) from Chattanooga, Tenn., and Atlanta, Ga., to points in Macon, Clay, Cherokee, and Graham Counties, N.C., (2) *pallettes*, from Murphy, N.C., to Greenville and Spartanburg, S.C., and Atlanta, Ga., (3) *lumber*, from West Union and Easley, S.C., to Murphy, N.C., (4) *feed*, from Chattanooga, Tenn., to Murphy, N.C., and (5) *fertilizer materials*, dry, in packages, from Greenville, S.C., to points in Macon, Clay, Cherokee, and Graham Counties, N.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Raleigh or Charlotte, N.C.

MOTOR CARRIERS OF PASSENGERS

No. MC 107 (Sub-No. 8), filed July 5, 1968. Applicant: BORO BUSSES COMPANY, a corporation, Post Office Drawer B.C., Red Bank, N.J. 07701. Applicant's representative: William L. Russell, Jr., 73 Broad Street, Red Bank, N.J. 07701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in special round-trip sightseeing or pleasure tours, beginning and ending at Red Bank and Shrewsbury Borough, N.J., and extending to points in the United States, including Alaska, but not including Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12797 (Sub-No. 2), filed June 19, 1968. Applicant: PRESLEY TOURS, INCORPORATED, R.F.D. No. 1, Makanda, Ill. For a license (BMC 5) to engage in operations as a *broker* at Makanda, Ill., in arranging for transportation in interstate or foreign commerce of *passengers and their baggage*, in groups, in round trip, all expense sightseeing tours beginning and ending at points in Illinois (except Cook County and Chicago); that part of Indiana lying along and west of U.S. Highway 31 (except Indianapolis); that part of Kentucky lying along and west of U.S. Highway 41; that part of Missouri lying along and south of Interstate Highway 70 (except Kansas City); and extending to points in the United States including Alaska and Hawaii.

No. MC 130061, filed June 28, 1968. Applicant: ALBERT CHARLES MAURER, doing business as AL MAURER TOURS, 1249 Ledlie Avenue, Springfield, Ill. Applicant's representative: Harlington Wood, Jr., 1102 Ridgely Building, Springfield, Ill. 62701. For a license (BMC 5) to engage in operations

as a broker at Springfield, Ill., in arranging for transportation in interstate or foreign commerce of passengers and their baggage, in the same vehicle with passengers, both as individuals and in groups, in charter operations, in educational, social, and recreational tours, beginning and ending at Springfield, Ill., and extending to points in the United States (except Alaska and Hawaii).

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 59806 (Sub-No. 2), filed June 28, 1968. Applicant: GROSS & HECHT TRUCKING, INC., 52 East Alpine Street, Newark, N.J. 07102. Applicant's representative: A. David Millner, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such merchandise, moving in interstate commerce, as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, between Great Atlantic & Pacific Tea Co., Inc., manufacturing and shipping facilities in Cherry Hill (Camden County), N.J., on the one hand, and, on the other, points in Nassau, Suffolk, and Westchester Counties, N.Y., and New York, N.Y., Warren, Hunterdon, Morris, Somerset, Bergen, Essex, Hudson, Middlesex, Monmouth, Ocean, Passaic, and Union Counties, N.J., under contract with Great Atlantic & Pacific Tea Co., Inc.* NOTE: Applicant states that no duplicating authority is being sought.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-8469; Filed, July 17, 1968;
8:45 a.m.]

[Notice 648]

**MOTOR CARRIER TEMPORARY
AUTHORITY APPLICATIONS**

JULY 12, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 52523 (Sub-No. 2 TA), filed July 10, 1968. Applicant: LEONARD SCHERTZER, doing business as L. SCHERTZER TRUCKING CO., 94 Sycamore Street, Carteret, N.J. 07008. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Carbonated beverages and empty carbonated beverage containers, between Brooklyn, N.Y., on the one hand, and, on the other, points in New Jersey and New York within 150 miles of Brooklyn, N.Y., for 150 days.* Supporting shipper: New York American Beverage Co., Inc., College Point, N.Y. 11356. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 123389 (Sub-No. 7 TA) (Correction), filed June 12, 1968, published FEDERAL REGISTER issue June 20, 1968, and republished as corrected this issue. Applicant: CROUSE CARTAGE COMPANY, Post Office Box 151, Carroll, Iowa 51401. Applicant's representative: William S. Rosen, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat and packinghouse products, from Storm Lake, Iowa, to Kansas City, St. Joseph, St. Louis, and Trenton, Mo., Topeka, Kans.; Austin and Indianapolis, Ind.; Bloomington and Chicago, Ill.; Detroit, Mich., and Louisville, Ky., for 150 days.* NOTE: Applicant intends to tack the authority here applied for to other authority held by it. The purpose of this republication is to include tacking information. Supporting shipper: Hygrade Food Products Corp., W. L. Fidler, General Traffic Manager, 11801 Mack Avenue, Detroit, Mich. 48214. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 126822 (Sub-No. 26 TA), filed July 5, 1968. Applicant: PASSAIC GRAIN AND WHOLESALE COMPANY, INC., Post Office Box 23, Passaic, Mo. 64777. Applicant's representative: Tom B. Kretzinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hides, skins, pelts, and pieces thereof, from Miami, St. Petersburg, and Tampa, Fla.; Belleville, Chicago, Duquoin, Freeport, Peoria, Rochelle, and Waukegan, Ill.; Evansville, Indianapolis, Princeton, and Richmond, Ind.; Boyden, Denison, Manchester, Oakland, Sioux City, Spencer, and Waterloo, Iowa; Parsons, Kans.; Lexington, Louisville, and Paducah, Ky.; Dover-Foxcroft, Maine; Alma, Boyne*

City, Flint, Grand Rapids, Lapeer, and Muskegon, Mich.; Windom, Minn.; Meridian and Tupelo, Miss.; Phelps City, Mo.; Albright, Nebr.; Hoboken, N.J.; New York City, N.Y.; Wilson, N.C.; Canfield, Cincinnati, Columbus, Gallipolis, New Washington, Sharonville, and Toledo, Ohio; Allegheny, Curwensville, Elkland, Philadelphia, and Pittsburgh, Pa.; Mitchell and Sioux Falls, S. Dak.; Luray, Norfolk, and Roanoke, Va.; and Meyers, Wis.; to ports of entry on the international boundary between the United States and Canada, at or near Detroit, Mich., and Buffalo, N.Y., for 150 days. Supporting shippers: Robson - Lang Leathers, Oshawa, Ontario, Canada, and A. R. Clarke & Co., Ltd., 633-661 Eastern Avenue, Toronto, Ontario, Canada. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 129624 (Sub-No. 1 TA) (Amendment), filed May 31, 1968, published FEDERAL REGISTER, issue of June 8, 1968, and republished as corrected this issue. Applicant: ROUTE MESSENGERS OF PENNSYLVANIA, INC., 2621 South Street, Philadelphia, Pa. 19146. Applicant's representative: Alan Kahn, 2 Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, Pa. 19102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Optical and dental materials, supplies and products, in packages of 25 pounds or less, and not exceeding 200 pounds from one consignor in one day, over irregular routes, between Philadelphia, Pa., on the one hand, and, on the other, points in Atlantic, Burlington, Camden, Gloucester, Mercer, Middlesex, and Ocean Counties, N.J., and New Castle, County, Delaware, for 180 days.* NOTE: The purpose of this republication is to show that applicant proposes a between movement instead of a from and to. Supporting shippers: Dental Laboratory, Inc., Medical Tower Building, 255 South 17th St., Philadelphia, Pa. 19103; Philadelphia Dental Supply Co., Inc., 1821 Sansom Street, Philadelphia, Pa. 19103; Wolfman Optical Co., Inc., 1106 Arch Street, Philadelphia, Pa. 19107; Climax Dental Supply Co., Inc., 1606 Walnut Street, Philadelphia, Pa. 19103. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 133017 TA, filed July 9, 1968. Applicant: AMBROSE DISTRIBUTING CO., Post Office Box 3346, Butte, Mont. 59701. Applicant's representative: Harry D. Pugsley, 315 East Second South, Salt Lake City, Utah 84111. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Frozen potato products, from Twin Falls, Idaho, to Cedar City, Utah, and points in Nevada and California, for 180 days.* Supporting shipper: Idaho Frozen Foods, Post Office Box FF, Twin Falls, Idaho 83301. Send protests to: Paul J.

Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 133018 TA, filed July 10, 1968. Applicant: RICHARDSON TRUCK LINE, INC., Route 5, Box 239, Macon, Ga. 31201. Applicant's representative: William Addams, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay face brick*, from Macon, Ga., to points in Florida on and north of Interstate Highway 4, for 180 days. Supporting shipper: Burns Brick Co., Post Office Box 4787, 711 10th Street, Macon, Ga. 31208. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission,

Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-8548; Filed, July 17, 1968; 8:48 a.m.]

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