

# FEDERAL REGISTER



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## TITLE 3—THE PRESIDENT PROCLAMATION 3201

GENERAL PULASKI'S MEMORIAL DAY, 1957  
BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS, soon after the adoption of our Declaration of Independence, Count Casimir Pulaski, a Polish patriot, came from across the seas to join our army of freedom; and

WHEREAS, he quickly distinguished himself in battle; was made Brigadier General by the Continental Congress and formed the cavalry Legion which bore his name; and

WHEREAS on October 9, 1779, while leading his troops in an attempt to divide the enemy forces at Savannah, he received a grievous wound from which he died two days later, thus sacrificing a young life which gave promise of further contributions to the cause of liberty; and

WHEREAS, in acknowledgment of our debt to General Pulaski for his valorous conduct in our War for Independence, it is fitting that we pay tribute to his memory on the one hundred and seventy-eighth anniversary of his death:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby proclaim Friday, the eleventh day of October, 1957, as General Pulaski's Memorial Day; and I invite the people of this Nation to observe the day with appropriate commemorative ceremonies. I also direct that the flag of the United States be displayed on all Government buildings on that day in honor of the memory of General Casimir Pulaski.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twelfth day of September in the year of our Lord nineteen hundred [SEAL] and fifty-seven, and of the Independence of the United States of America the one hundred and eighty-second.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,  
Secretary of State.

[F. R. Doc. 57-7684; Filed, Sept. 16, 1957; 1:38 p. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter III—Farmers Home Administration, Department of Agriculture

#### Subchapter G—Miscellaneous Regulations

[Administration Letter 530(448)]

#### PART 384—SPECIAL LIVESTOCK LOANS

##### LOANS TO PURCHASE FEEDER LIVESTOCK

Part 384 of Title 6, Code of Federal Regulations (18 F. R. 4944), is amended by the addition of § 384.2b, limiting the making of Special Livestock loans in connection with the purchase of feeder livestock, and to read as follows:

§ 384.2b *Loans to purchase feeder livestock.* Subject to all other applicable requirements, Special Livestock loans to purchase feeder livestock may be made only to indebted borrowers when a subsequent loan appears necessary for the protection of the Government's interest in previous Special Livestock loans. All applications for such loans will be submitted to the National Office for prior concurrence.

(R. S. 161; 5 U. S. C. 22)

Dated: September 13, 1957.

[SEAL] H. C. SMITH,  
Acting Administrator,  
Farmers Home Administration.

[F. R. Doc. 57-7653; Filed, Sept. 17, 1957; 8:49 a. m.]

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<b>SUBPART—1957 CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM</b>	
Correction	
In F. R. Document 57-7285 appearing in the issue for Tuesday, September 10,	

1957, at page 7200, make the following changes:

1. For the State of Pennsylvania, Wyoming County, the rate per bushel should read "2.20".
2. For the State of Pennsylvania, "Yates" County should read "York" County and the rate per bushel should read "2.21".

## TITLE 25—INDIANS

### Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter Q—Leasing and Permitting of Restricted Indian Lands and Other Lands Administered by the Bureau of Indian Affairs for Farming, Farm Pasture, Business, and Other Purposes

#### PART 171—LEASING AND PERMITTING

PALM SPRINGS, CALIF.

##### Correction

In F. R. Document 57-7413 appearing in the issue for Wednesday, September 11, 1957, at page 7235, the signature should read "Hatfield Chilson, Acting Secretary of the Interior."

## TITLE 21—FOOD AND DRUGS

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

Subchapter B—Food and Food Products

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

#### TOLERANCES FOR RESIDUES OF MALATHION

A petition was filed with the Food and Drug Administration requesting the establishment of tolerances for residues of malathion in or on pecans and walnuts.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (2), 68 Stat. 512; 21 U. S. C. 346a (d) (2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7 (g)), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR, 120.111; 21 CFR, 1956 Supp., 120.111) are amended by inserting in § 120.111, *Tolerances for residues of malathion*, in proper alphabetical order, the items "pecans" and "walnuts".

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto.

Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

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

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interprets or applies sec. 408, 68 Stat. 511; 21 U. S. C. 346a)

Dated: September 11, 1957.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F. R. Doc. 57-7639; Filed, Sept. 17, 1957; 8:46 a. m.]

## TITLE 7—AGRICULTURE

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

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART—UNITED STATES STANDARDS FOR GRADES OF DRIED CURRANTS<sup>1</sup>

#### MISCELLANEOUS AMENDMENTS

Notice of proposed rule making with respect to proposed amendments to the United States Standards for Grades of Dried Currants (§§ 52.981 to 52.985) was published in the FEDERAL REGISTER on July 25, 1957 (22 F. R. 5900).

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of these amendments until thirty (30) days after publication in the FEDERAL REGISTER for the reasons that: (1) The processing season for dried currants is imminent and it is necessary for purposes of inspection and marketing that these amendments be effective at the beginning of the packing season; (2) the industry has had more than 30 days' notice of the proposed amendments and no views to the contrary have been received; and (3) additional time will not be needed to make preparation for compliance with these amendments.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the United States Standards for Grades of Dried Currants are hereby amended under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087, et seq., as amended; 7 U. S. C. 1621 et seq.):

1. Change the applicable paragraphs and subparagraphs of the indicated sections to read:

<sup>1</sup> Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

Section 52.983 (a) (4):

(4) Not more than 1 percent, by weight, of dried currants may be undeveloped;

Section 52.983 (b) (4):

(4) Not more than 2 percent, by weight, of dried currants may be undeveloped;

Section 52.984 (c):

(c) "Undeveloped" refers to extremely light currants that are lacking in sugary tissue indicating incomplete development; are completely shriveled and hard; possess fine wrinkles on smaller units and moderately deep wrinkles on slightly larger units; and are commonly referred to as "worthless".

2. In § 52.984, delete paragraph (f) and subparagraph (1) of paragraph (f) in their entirety; renumber paragraph (g) as "(f)"; renumber paragraph (h) as "(g)".

3. In Table I, change left-hand caption of "Poorly developed, blowovers ---" to "Underdeveloped ---".

4. In § 52.985 (work sheet) in left-hand column of captions, under "Defects", change words "Poorly developed, blowovers ---" to "Undeveloped ---".

The United States Standards for Grades of Dried Currants (fourth issue) as hereby amended and as contained in this subpart shall become effective October 1, 1957 and thereupon will supersede the United States Standards for Grades of Dried Currants (§§ 52.981 to 52.985) which have been in effect since September 1, 1956.

(Sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624)

Dated: September 13, 1957.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator,  
Marketing Services.

[F. R. Doc. 57-7652; Filed, Sept. 17, 1957; 8:49 a. m.]

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART—UNITED STATES STANDARDS FOR GRADES OF PROCESSED RAISINS<sup>1</sup>

#### MISCELLANEOUS AMENDMENTS

Notice of proposed rule making with respect to proposed amendments to the United States Standards for Grades of Processed Raisins (§§ 52.1841 to 52.1852) was published in the FEDERAL REGISTER on July 27, 1957 (22 F. R. 5958).

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of these amendments until thirty (30) days after publication in the FEDERAL REGISTER for the reasons that: (1) The processing season for raisins is imminent and it is necessary for purposes of inspection and marketing that these amendments be effective at the beginning of the packing season; (2) the industry has had more than 30 days' notice of the proposed amendments and no

views to the contrary have been received; and (3) additional time will not be needed to make preparation for compliance with these amendments.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the United States Standards for Grades of Processed Raisins are hereby amended under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087, et seq., as amended; 7 U. S. C. 1621 et seq.):

1. Change the applicable paragraphs and subparagraphs of the indicated sections to read:

Section 52.1844 (a):

(a) "Well-bleached color" (or "extra fancy color") means that the raisins are practically uniform in color and may range from yellow or golden to light amber color with a predominating yellow or golden color and that not more than  $\frac{1}{2}$  of 1 percent, by weight, of all the raisins may be definitely dark berries.

Section 52.1845 (a) (3):

(3) Not more than 1 percent, by weight, of raisins may be undeveloped;

Section 52.1845 (b) (3):

(3) Not more than 2 percent, by weight, of raisins may be undeveloped;

Section 52.1845 (c) (3):

(3) Not more than 2 percent, by weight, of raisins may be undeveloped, except that in "Small" (or "midget") size not more than 3 percent, by weight, of raisins may be undeveloped;

Section 52.1846 (b) (3):

(3) "2 Crown" means raisins that will pass through round perforations  $\frac{3}{64}$  inch in diameter but will not pass through round perforations  $\frac{2}{64}$  inch in diameter.

Section 52.1847 (a) (4):

(4) Not more than 1 percent, by weight, of raisins may be undeveloped;

Section 52.1847 (b) (4):

(4) Not more than 2 percent, by weight, of raisins may be undeveloped;

Section 52.1847 (c) (4):

(4) Not more than 2 percent, by weight, of raisins may be undeveloped;

Section 52.1847a (a) (2):

(2) Not more than 1 percent, by weight, of raisins may be undeveloped;

Section 52.1847a (b) (2):

(2) Not more than 2 percent, by weight, of raisins may be undeveloped;

Section 52.1849 (a) (3):

(3) Not more than 1 percent, by weight, of raisins may be undeveloped;

Section 52.1849 (b) (3):

(3) Not more than 2 percent, by weight, of raisins may be undeveloped;

Section 52.1849 (c) (3):

(3) Not more than 2 percent, by weight, of raisins may be undeveloped;

Section 52.1851 (d):

(d) "Undeveloped" refers to extremely light berries that are lacking in sugary tissue indicating incomplete development; are reddish in color; are completely shriveled and hard; possess fine wrinkles on smaller units and moderately deep wrinkles on slightly larger units; and are commonly referred to as "worthless".

2. In § 52.1851, delete paragraph (g) and subparagraphs (1) and (2) of paragraph (g) in their entirety; renumber paragraph (h) as "(g)"; renumber paragraph (i) as "(h)".

3. In § 52.1852 (worksheet) in left-hand column of captions, under "Defects", change words "Poorly developed, blowovers:" to "Undeveloped:"

4. In § 52.1852 (worksheet) in lowest right-hand block under caption of "Maximum by weight (percent)" change figure "1" to " $\frac{1}{2}$ ".

5. In Tables I, II, IIA, III, change left-hand caption of "Poorly developed, blowovers ---" to "Undeveloped ---".

The United States Standards for Grades of Processed Raisins (fifth issue) as hereby amended and as contained in this subpart shall become effective October 1, 1957 and thereupon will supersede United States Standards for Grades of Processed Raisins (§§ 52.1841 to 52.1852) which have been in effect since September 1, 1956.

(Sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624)

Dated: September 13, 1957.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator,  
Marketing Services.

[F. R. Doc. 57-7651; Filed, Sept. 17, 1957  
8:48 a. m.]

## Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

### PART 718—DETERMINATION OF ACREAGE AND PERFORMANCE

#### MISCELLANEOUS AMENDMENTS

The amendments herein are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301 et seq.), the Sugar Act of 1948, as amended (7 U. S. C. 1100 et seq.), the Agricultural Act of 1949, as amended (7 U. S. C. 1441 et seq.), and the Soil Bank Act (7 U. S. C. 1801 et seq.). These amendments will provide (1) for the reconstitution of farms which include land owned by the Federal Government and leased to producers under restrictive lease in order for such land to be designated as a separate farm, (2) to establish the location of the farm for administrative purpose, (3) to authorize State ASC committees to establish a minimum "normal row width" for farms, (4) to establish a minimum width for deductible areas on the farm, and (5) to publish State ASC committee determinations provided for in § 718.15 of the regulations.

Since farmers are now engaged in producing and harvesting their 1957 crops

and are preparing to seed their 1958 crop of wheat, it is imperative that they be notified of these amendments as soon as possible. Accordingly, it is hereby found that compliance with the notice, public procedure, and effective date provisions of the Administrative Procedure Act (5 U. S. C. 1003) is impracticable and contrary to the public interest, and the amendments shall become effective upon publication in the FEDERAL REGISTER.

1. Section 718.2 (i) is amended to read as follows:

(i) "Farm" means land which immediately prior to the effective date of this section as hereby amended was properly constituted and identified as a farm under regulations issued pursuant to the Agricultural Adjustment Act of 1938, as amended, or the Soil Bank Act, and such land shall continue to constitute a farm for all programs to which this part may apply until reconstituted as required because of changes in operation of the land occurring on or after the effective date of this section as hereby amended or because the land was not properly constituted as a farm immediately prior to the effective date of this section, or because of the provisions of subparagraph (3) (ii) or (iv) of this paragraph. With respect to reconstitutions made after the effective date of this section, or the identification of land as a farm for the first time after the effective date of this section, the term "farm" shall mean:

(1) All adjoining or nearby and easily accessible farm, wood, or range land under the same ownership which is operated by one person, and

(2) All additional farm, wood, or range land under different ownership operated by such person which the county committee determines:

(i) Is nearby and easily accessible, and  
(ii) Is approximately equally productive, and

(iii) For the past two years has been operated by such person and will be so operated during the current year, or has been operated by such person for one year with proof satisfactory to the county committee that it will be operated by such person for at least two more years.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

(3) Notwithstanding the conditions set forth in subparagraphs (1) and (2) of this paragraph:

(i) Fields and subdivisions of fields which are part of a farm shall remain a part of such farm when operated under a short term agreement by another operator, unless and until such fields or subdivisions of fields may be properly constituted as a separate farm or part of another farm under the provisions of this section.

(ii) Land for which one or more landlord(s) refuse(s) to sign a conservation reserve contract and which is part of a multiple ownership farm may be constituted as a separate farm provided some eligible land in the balance of such multi-

ple ownership farm is covered by a conservation reserve contract.

(iii) Land which is properly constituted as a farm shall not be reconstituted when a change of the farm operator is the only basis for such action.

(iv) Where a part of a farm is owned by the Federal Government and the Federal agency handling the leasing of such land has leased the land under a lease restricting the production of price-supported commodities in excess supply, the farm shall be reconstituted so that such Government-owned land is a separate farm. Such Government-owned land, or other land as may be acquired by the

Federal Government and leased to producers under such restrictive leases, shall not be combined with privately-owned land or other Government-owned land not under restrictive lease.

2. Section 718.15 is amended to read as follows:

§ 718.15 *State committee option.* (a) The State committee, upon approval of the Deputy Administrator, may establish a minimum row width for specific crops of less than the 36 inches provided for in § 718.2 if general cultural practices in the area warrant such action, may increase the minimum area which may be

deducted and establish a minimum width for deductible areas under § 718.5 (f), (g) and (h), may establish a minimum area which may be deducted and increase the minimum width for deductible areas under § 718.15 (f) and may decrease the five-tenths (0.5) acre minimum error as provided in § 718.12 (a) and (b).

(b) The following State committee determinations, provided for in this section, which deviate from the standards otherwise prescribed in this part are effective for 1957 and will remain effective for subsequent years unless and until amended:

Table of sections affected by determinations of State Committees pursuant to § 718.15:

State	718.2 (1)	718.5 (f)		718.5 (g)	718.5 (h)	718.12		
		(1)	(2)			(a-2)	(b-1)	(b-2)
Alabama	30 inches—Cotton and peanuts.							
Arkansas		0.05 A.		0.05 A.	0.05 A.			
California		A deduction may be made for the continuous area of a ditch, contour check, border check, or road not planted to the crop being measured, provided it is 9 feet or more in width from cropline to cropline and contains 0.1 A. or more, except that contour checks in rice fields are not eligible for deduction.			0.10 A.			
Connecticut							0.25 A.	0.25 A.
Florida	18 inches for peanuts.							
Georgia	30 inches for cotton and peanuts other than Spanish; 26 inches for Spanish peanuts.					0.10 A.	0.10 A. except tobacco 0.01 A.	0.10 A. except tobacco 0.01 A.
Idaho		0.10 A.			0.10 A.			
Illinois		0.10 A. except for cotton, cotton acreage reserve, tobacco, and tobacco acreage reserve.	Minimum deductible area established of 0.10 A. for all crops except cotton, cotton acreage reserve, tobacco, and tobacco acreage reserve.		0.10 A. except for cotton and cotton acreage reserve.			
Indiana		0.10 A. and 10 feet width.	3 normal row width		0.10 A. and 10 feet width.			
Iowa		0.10 A.			0.10 A.			
Kansas		For tobacco one normal row width.		36 inch width.	0.05 A.			
Kentucky					For corn 0.10 A. one normal row width.			
Maryland	30 inches for tobacco.							
Michigan		0.10 A. except that two or more areas may be combined to meet this minimum provided no such area contains less than 0.03 A.			0.10 A. except that two or more areas may be combined to meet this minimum provided no such area contains less than 0.03 A.			
Minnesota		0.10 A. for sugar beets— for other crops except tobacco 0.25 A. 6-foot width.	Minimum deductible area established for sugar beets 0.10 A.—for other crops except tobacco 0.25 A. 6-foot width.		0.10 A. for sugar beets— for other crops 0.25 A.			
Mississippi		0.10 A. 0.2 chain width.			Minimum area in single plot 0.5 A. except (1) When total to be destroyed is 0.5 A. or less, entire acreage must be in one plot; (2) When acreage to be destroyed is more than 0.5 A. only one plot destroyed may be less than 0.5 A. (3) All of any field or subdivision planted to cotton may be disposed of to come within allotment regardless of size or number. 0.2 chain width.			
Missouri		0.10 A. except for tobacco and tobacco acreage reserve.	Minimum deductible area established— 0.03 A. for tobacco—0.10 A. for all other crops.		0.10 A.		0.10 A. for tobacco and tobacco acreage reserve.	0.10 A. for tobacco and tobacco acreage reserve.

Table of sections affected by determinations of State Committees pursuant to § 718.15—Continued

State	718.9 (1)	718.5 (f)		718.5 (g)	718.5 (h)	718.12		
		(1)	(2)			(a-2)	(b-1)	(b-2)
Nebraska		0.10 A.			0.10 A.			
New Hampshire		0.06 A.			0.06 A.			
New York							0.20 A.	0.20 A.
North Carolina	18 inches for peanuts.	One normal row width.		0.50 A.	County committee authorized to establish individual minimums up to 1.0 A.			
North Dakota		0.10 A. for all crops except sugar beets.	Minimum deductible area established—For sugar beets 0.03 A. For all other crops 0.10 A.		0.10 A.			
Ohio		0.10 A.					0.10 A. for tobacco and tobacco acreage reserve.	0.10 A. for tobacco and tobacco acreage reserve.
Oklahoma		0.10 A.	0.1 chain width.		0.10 A.	0.10 A.	0.10 A.	0.10 A.
Oregon		0.10 A.			0.10 A.			
South Dakota		0.50 A.			0.50 A.			
Tennessee					0.10 A., 0.3 chain width.		0.03 A. for tobacco.	0.03 A. for tobacco.
Texas		Cotton and peanuts (1) outside boundary, permanent field 0.05 A., 0.1 chain width; (2) inside of field 0.10 A. 4 normal rows width—For wheat and rice (1) outside boundary permanent field 0.05 A., 0.1 chain width; (2) inside of field 0.10 A., 0.2 chain width.	Minimum deductible areas established—cotton and peanuts 0.10 A. 4 normal row width—For wheat and rice 0.10 A., 0.2 chain width.		Cotton and peanuts (1) outside boundary permanent field 0.05 A., 0.1 chain width; (2) inside of field 0.10 A. 4 normal rows width. For wheat and rice (1) outside boundary permanent field 0.05 A., 0.1 chain width; (2) inside of field 0.10 A., 0.2 chain width.			
Utah		0.10 A. for sugar beets 0.30 A. for wheat.			0.10 A. for sugar beets 0.30 A. for wheat.			
Virginia	32 inches for peanuts.	0.4 chain width.			0.4 chain width.			
Washington		0.10 A.			0.10 A.			
Wyoming	20 inches for all crops.							

(Secs. 374, 375, 52 Stat. 65, as amended, 66, as amended, sec. 403, 61 Stat. 932, sec. 401, 63 Stat. 1054, as amended, sec. 124, 70 Stat. 198, 7 U. S. C. 1374, 1375, 1421, 1153, 1812)

Done at Washington, D. C., this 11th day of September 1957.

[SEAL] MARVIN L. McLAIN,  
Acting Secretary.

[F. R. Doc. 57-7604; Filed, Sept. 17, 1957; 8:45 a. m.]

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

**PART 909—ALMONDS GROWN IN CALIFORNIA**

**BUDGET OF EXPENSES OF ALMOND CONTROL BOARD AND RATE OF ASSESSMENT FOR CROP YEAR BEGINNING JULY 1, 1957**

Notice was published in the FEDERAL REGISTER of August 22, 1957 (22 F. R. 6770) that the Secretary was considering a proposed rule to establish a budget of expenses of the Almond Control Board in the amount of \$38,000 and a rate of assessment of twelve and one-half hundredths of a cent (.125¢) per pound of almond kernels received by handlers for the crop year beginning July 1, 1957. Said action was proposed to be taken in accordance with the applicable provisions of Marketing Agreement No. 119 and Order No. 9, as amended (7 CFR Part 909), regulating the handling of almonds grown in California, which agreement and order is effective under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). On the basis

of an estimate of approximately 46 million pounds of assessable almonds during the 1956-57 crop year, the assessment rate established herein will result in the collection of adequate funds to defray expenses of the Almond Control Board according to the budget established herein, and provide a reasonable excess for board use during the first four months of the 1958-59 crop year.

The aforesaid notice afforded interested persons an opportunity to file data, views, or arguments concerning the proposal with the Department prior to final issuance of the rule. The prescribed time has expired and no such communications have been received.

After consideration of all relevant matters it is hereby found and determined and, therefore, it is hereby ordered that the budget of expenses of the Almond Control Board and rate of assessment for the year beginning July 1, 1957 shall be as follows:

§ 909.307 *Budget of expenses of the Almond Control Board and rate of assessment for the crop year beginning July 1, 1957—(a) Budget of expenses.* The budget of expenses for the crop year beginning July 1, 1957 shall be in the total amount of \$38,000 for the maintenance and functioning of the Almond Control Board, and for such purposes as the Secretary may, pursuant to the provisions of the agreement and order, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for said crop year shall be twelve and one-half hundredths of a cent (.125¢) per pound of almonds, kernel weight basis, received by each handler for his own account, except almonds received from other handlers on which assessments have previously been paid.

It is hereby found and determined that good cause exists for not postponing the effective date of this order for thirty days, or any lesser period after its publication in the FEDERAL REGISTER (see section 4 of the Administrative Procedures Act; 5 U. S. C. 1001 et seq.), for the reasons that: (1) The action will apply to all almonds received by handlers for their own accounts during the crop year which began on July 1, 1957, and such receipts of 1957 crop almonds have already begun; (2) prior notice of such action was given all interested parties in the notice of proposed rule making which was published in the FEDERAL REGISTER of August 22, 1957 (22 F. R. 6770); and (3) no advance or special preparation for operations hereunder will be needed. Accordingly, it is hereby further ordered that this action be effective immediately upon publication in the FEDERAL REGISTER.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated, September 13, 1957, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator,  
Marketing Services.

[F. R. Doc. 57-7646; Filed, Sept. 17, 1957; 8:47 a. m.]

[1957.316 Amdt. 3]

**PART 957—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREG.**

**LIMITATION OF SHIPMENTS**

*Findings.* a. Pursuant to Marketing Agreement No. 98 and Order No. 57, as

amended (7 CFR Part 957), regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et. seq.), and upon the basis of recommendations and information submitted by the Idaho-Eastern Oregon Potato Committee, established pursuant to said marketing agreement and order, as amended, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

b. It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this amendment, (iii) compliance with amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, (iv) reasonable time is permitted, under the circumstances, for such preparation, and (v) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

*Order, as amended.* The provisions of § 957.316 (b) (1), (4), and (5) (22 F. R. 4785; 5862; and 5993), are hereby amended to read as follows:

(b) *Order.* (1) Except as otherwise provided in this section during the period from September 18, 1957, through June 30, 1958, no handler shall ship potatoes of any variety unless such potatoes are generally "fairly clean," which means that at least 90 percent of such potatoes are "fairly clean," as such terms are defined in the U. S. Standards for Potatoes (§§ 51.1540-51.1559 of this title), and

(i) If they are of the round varieties (including, but not being limited to, Bliss Triumph and Pontiac varieties), such potatoes meet the requirements of U. S. No. 2, or better, grade, 1 3/8 inches minimum diameter,

(ii) If they are of the White Rose variety, such potatoes meet the requirements of U. S. No. 2, or better, grade, 5 ounces minimum weight: *Provided*, That any such potatoes that grade not less than U. S. No. 1, may be shipped if they are of 2 1/8 inches minimum diameter or 4 ounces minimum weight,

(iii) If they are of the Kennebec variety, such potatoes meet the requirements of U. S. No. 2, or better, grade,

and are of 2 inches minimum diameter or 4 ounces minimum weight, and

(iv) If they are of any other variety (including, but not being limited to, Russet Burbank, and Early Gem varieties), such potatoes meet the requirements of the U. S. No. 2, or better, grade, 2 1/8 inches minimum diameter: *Provided*, That potatoes of any such variety that meet the requirements of U. S. No. 2, or better, grade, Size A, 2 inches minimum diameter or 4 ounces minimum weight, may be shipped, as such terms, grades, and sizes are defined in the United States Standards for Potatoes (§§ 51.1540-51.1559 of this title), including the tolerances set forth therein.

(4) The grade, size and maturity limitations set forth in subparagraphs (1) and (2) of this paragraph shall not be applicable to shipments of potatoes for the following purposes: (i) As certified seed potatoes; (ii) export: *Provided*, That such potatoes meet the requirements of U. S. No. 2, or better, grade, 1 1/2 inches minimum diameter; (iii) canning, freezing, dehydration or manufacture into starch or flour; (iv) charity; and (v) potato chipping: *Provided*, That such potatoes meet the requirements of U. S. No. 1, or better, grade, Size B.

(5) Each handler making any shipment of potatoes pursuant to subparagraph (4) of this paragraph for export, canning, freezing, potato chipping, dehydration or manufacture into starch or flour, or for charity shall (i) first apply to the committee for, and obtain, a Certificate of Privilege to make such shipments; (ii) pay assessments on such shipment, except shipment for canning or freezing; (iii) have such shipment inspected, except shipment for canning or freezing; (iv) upon request by the committee, furnish reports of each shipment made pursuant to each Certificate of Privilege; (v) with respect to such shipment, furnish the committee with the bill of lading or appropriate record of movement in case of trucks of each such shipment made under Certificate of Privilege; (vi) with respect to such shipment, furnish the committee with the buyer's certification that the potatoes handled under the Certificate of Privilege are to be used only for the purpose stated therein.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated September 13, 1957, to become effective September 18, 1957.

[SEAL]

S. R. SMITH,  
Director,

Fruit and Vegetable Division.

[F. R. Doc. 57-7649; Filed, Sept. 17, 1957; 8:48 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 21]

#### PART 610—MINIMUM EN ROUTE IFR ALTITUDES

##### MISCELLANEOUS AMENDMENTS

The minimum en route IFR altitudes appearing hereinafter have been coordi-

nated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 610 is amended as follows: (Listed items to be placed in appropriate sequence in the sections indicated).

Section 610.15 *Green civil airway 5* is amended to read in part:

From Millville, N. J., LFR; to Beachwood, N. J., LF/RBN; MEA 1,500.

From Beachwood, N. J., LF/RBN; to Peconic, N. Y., LFR; MEA 1,500.

From Peconic, N. Y., LFR; to Salem INT, Conn.; MEA 1,500.

From Salem INT, Conn.; to Boston, Mass., LFR; MEA 2,000.

Section 610.106 *Amber civil airway 6* is amended to delete:

From Columbus, Ohio, LFR; to a beam, Mansfield, Ohio, LF/RBN; MEA 2,600.

From a beam, Mansfield, Ohio, LF/RBN; to Brighton INT, Ohio; MEA 2,500.

From Brighton INT, Ohio; to Elyria, Ohio, LF/RBN; MEA 2,200.

Section 610.208 *Red civil airway 8* is amended to delete:

From Lockburne INT, Ohio; to Zanesville, Ohio, LF/RBN; MEA 2,400.

From Zanesville, Ohio, LF/RBN; to Bergholz, Ohio, LF/RBN; MEA 2,500.

From Bergholz, Ohio, LF/RBN; to Butler, Pa., LF/RBN; MEA 2,500.

Section 610.213 *Red civil airway 13* is amended to delete:

From Wilkes-Barre, Pa., LFR; to Stewart, N. Y., LF/RBN; MEA 3,500.

Section 610.213 *Red civil airway 13* is amended by adding:

From Crystal Lake, Pa., LF/RBN; to Stewart, N. Y., LF/RBN; MEA 4,000.

From Stewart, N. Y., LF/RBN; to Poughkeepsie, N. Y., LFR; MEA 3,000.

Section 610.217 *Red civil airway 17* is amended to delete:

From McKeesport, Pa., LF/RBN; to Johnstown, Pa., LF/RBN; MEA 4,500.

Section 610.223 *Red civil airway 23* is amended by adding:

From St. James INT, N. Y.; to Grumman INT, N. Y.; MEA 1,600.

Section 610.227 *Red civil airway 27* is added to read:

From Nenabank INT, Alaska; to Nenana, Alaska, LFR; MEA 3,000.

From Nenana, Alaska, LFR; to Wolf INT, Alaska; MEA 4,500.

Section 610.261 *Red civil airway 61* is amended to delete:

From Johnstown, Pa., LF/RBN; to Flint Stone INT, Md.; MEA 4,500.

Section 610.261 *Red civil airway 61* is amended by adding:

From Columbiana INT, Ohio; to Butler, Pa., LF/RBN; MEA 2,500.

Section 610.262 *Red civil airway 62* is amended to delete:

From Mt. Pleasant INT, Pa.; to Johnstown, Pa., LF/RBN; MEA 4,500.

From Johnstown, Pa., LF/RBN; to Altoona, Pa., LFR; MEA 4,500.

Section 610.285 *Red civil airway 85* is amended to delete:

From Columbiana INT, Ohio; to Butler, Pa., LF/RBN; MEA 2,500.

From Butler, Pa., LF/RBN; to Apollo INT, Pa.; MEA 3,000.

From Apollo INT, Pa.; to Altoona, Pa., LFR; MEA 4,500.

Section 610.605 *Blue civil airway 5* is amended to read in part:

From Waxahachie INT, Tex.; to \*Duncanville, Tex., LF/RBN; MEA 2,800. \*2,200—MCA Duncanville LF/RBN, southbound.

Section 610.615 *Blue civil airway 15* is amended to delete:

From Huntington, W. Va., LF/RBN; to Columbus, Ohio, LFR; MEA 2,500.

Section 610.626 *Blue civil airway 26* is amended to read in part:

From Summit, Alaska, LFR; to \*Wolf INT, Alaska; MEA 9,500. \*6,000—MCA Wolf INT, southbound.

From Healy, Alaska, FM; to Wolf INT, Alaska, northbound only; MEA 6,500.

From Wolf INT, Alaska; to Fairbanks, Alaska, LFR; MEA 3,000.

Section 610.639 *Blue civil airway 39* is amended to delete:

From Flat Woods, INT, W. Va.; to Morgantown, W. Va., LFR; MEA 4,000.

From Morgantown, W. Va., LFR; to Mt. Pleasant, INT, Pa.; MEA 3,600.

From Mt. Pleasant, INT, Pa.; to New Alexandria, Pa., LF/RBN; MEA 3,600.

Section 610.643 *Blue civil airway 43* is amended to read:

From Healy, Alaska, FM; to \*Nenana, Alaska; LFR; MEA northbound 6,500; southbound 9,500. \*6,000—MCA Nenana LFR, southbound.

From Nenana, Alaska, LFR; to Fairbanks, Alaska, LFR; MEA 3,900.

Section 610.1001 *Direct routes, U. S.* is amended by adding:

From Key West, Fla., LFR; to Tamiami, Fla., LF/RBN; MEA 1,300.

Section 610.6003 *VOR civil airway 3* is amended to delete:

From Flat Rock, Va., VOR; to Potomac INT, Va.; MEA \*3,000. \*1,500—MOCA.

Section 610.6003 *VOR civil airway 3* is amended by adding:

From Flat Rock, Va., VOR; to Brooke, Va., VOR; MEA 1,600.

From Brooke, Va., VOR; to Washington, D. C., TVOR; MEA 1,500.

Section 610.6003 *VOR civil airway 3* is amended to read in part:

From Burton INT, S. C.; to Charleston, S. C., VOR; MEA 1,400.

Section 610.6004 *VOR civil airway 4* is amended to delete:

From Boise, Idaho, VOR, via S alter.; to Glenns Ferry INT, Idaho, via S alter.; MEA 8,500.

From Glenns Ferry INT, Idaho, via S alter.; to Twin Falls, Idaho, VOR via S alter.; MEA 8,500.

From Twin Falls, Idaho, VOR via S alter.; to Burley, Idaho, VOR via S alter.; MEA 6,700.

Section 610.6006 *VOR civil airway 6* is amended to read in part:

From Sacramento, Calif., VOR via N alter; to \*Auburn INT, Calif., via N alter; MEA 3,500. \*7,500—MCA Auburn INT, northeastbound.

From Auburn INT, Calif., via N alter; to Blue Canyon INT, Calif., via N alter; MEA northeastbound, 11,000; southwestbound, 7,000.

From Blue Canyon INT, Calif., via N alter; to Mt. Lola INT, Calif., via N alter; MEA 11,000.

Section 610.6007 *VOR civil airway 7* is amended to read in part:

From Evansville, Ind., VOR; to \*Decker INT, Ind.; MEA 1,900. \*3,000—MRA.

Section 610.6008 *VOR civil airway 8* is amended to read in part:

From Mansfield, Ohio, VOR; to \*Mt. Hope INT, Ohio; MEA 2,500. \*3,000—MRA.

Section 610.6009 *VOR civil airway 9* is amended to read in part:

From Jackson, Miss., VOR via W alter.; to Greenwood, Miss., VOR via W alter.; MEA 1,700.

From Greenwood, Miss., VOR; to Hernando INT, Miss.; MEA \*2,400. \*1,800—MOCA.

From Hernando INT, Miss.; to Memphis, Tenn., VOR; MEA 1,500.

From Greenwood, Miss., VOR via E alter.; to Memphis, Tenn., VOR via E alter.; MEA \*2,900. \*1,600—MOCA.

Section 610.6012 *VOR civil airway 12* is amended to read in part:

From Winslow, Ariz., VOR; to Zuni, N. Mex., VOR; MEA 9,000.

Section 610.6013 *VOR civil airway 13* is amended to read in part:

From Houston, Tex., VOR via W alter.; to \*Conroe INT, Tex., via W alter.; MEA \*\*2,000. \*4,000—MRA. \*\*1,800—MOCA.

From Conroe INT, Tex., via W alter.; to Lufkin, Tex., VOR via W alter.; MEA \*2,000. \*1,800—MOCA.

Section 610.6014 *VOR civil airway 14* is amended to read in part:

From Florida INT, Ind.; to \*Coldwater INT, Ind.; MEA \*\*4,300. \*3,000—MRA. \*\*2,800—MOCA.

Section 610.6016 *VOR civil airway 16* is amended to read in part:

From Goldsmith INT, Tex., via N alter.; to Pipe Line INT, Tex., via N alter.; MEA \*5,000. \*4,300—MOCA.

From El Paso, Tex., VOR; to \*Hueco Mt. INT, Tex.; MEA 8,000. \*8,800—MRA.

From Hueco Mt. INT, Tex.; to Salt Flat, Tex., VOR; MEA 8,000.

Section 610.6016 *VOR civil airway 16* is amended to delete:

From Wink, Tex., VOR via N alter.; to Goldsmith INT, Tex., via N alter.; MEA 4,400.

From Goldsmith INT, Tex., via N alter.; to Midland, Tex., VOR via N alter.; MEA 4,300.

Section 610.6021 *VOR civil airway 21* is amended to delete:

From Pocatello, Idaho, VOR via W alter.; to Dubois, Idaho, VOR via W alter.; MEA 7,500.

Section 610.6622 *VOR civil airway 22* is amended to read in part:

From Greenville INT, Fla., via N alter.; to \*Quitman INT, Ga., via N alter.; MEA \*\*3,500. \*3,000—MRA. \*\*1,200—MOCA.

Section 610.6032 *VOR civil airway 32* is amended to read in part:

From Bonneville, Utah, VOR; to Timpie INT, Utah; MEA westbound, 10,000; eastbound, 11,000.

From Timpie INT, Utah, MEA; to Stansbury INT, Utah, westbound, 10,000; eastbound, 11,000.

Section 610.6035 *VOR civil airway 35* is amended to delete:

From Pittsburgh, Pa., VOR; to \*New Alexandria INT, Pa.; MEA \*3,000. \*4,000—MCA New Alexandria INT, eastbound.

From New Alexandria INT, Pa.; to Phillipsburg, Pa., VOR; MEA 4,000.

Section 610.6035 *VOR civil airway 35* is amended by adding:

From Johnstown, Pa., VOR; to Tyrone, Pa., VOR; MEA 4,500.

From Tyrone, Pa., VOR; to Phillipsburg, Pa., VOR; MEA 4,500.

Section 610.6035 *VOR civil airway 35* is amended to read in part:

From Macon, Ga., VOR; to \*Wayside INT, Ga.; MEA 2,000. \*2,200—MRA.

From Wayside INT, Ga.; to \*Eatonton INT, Ga.; MEA 2,000. \*3,500—MRA.

From Eatonton INT, Ga.; to \*Madison INT, Ga.; MEA 2,000. \*3,500—MRA.

From Madison INT, Ga.; to Athens, Ga., VOR; MEA 2,000.

From Athens, Ga., VOR; to Royston, Ga., VOR; MEA 2,000.

Section 610.6036 *VOR civil airway 36* is amended to delete:

From Buffalo, N. Y., VOR via S alter.; to Angelica INT, N. Y., via S alter.; MEA \*4,500. \*4,000—MOCA.

From Angelica INT, N. Y., via S alter.; to Elmira, N. Y., VOR via S alter.; MEA 4,000.

Section 610.6037 *VOR civil airway 37* is amended to read in part:

From Hadley INT, Pa.; to Erie, Pa., VOR; MEA \*4,000. \*3,000—MOCA.

Section 610.6038 *VOR civil airway 38* is amended to delete:

From Findlay, Ohio, VOR via S alter.; to \*Richwood INT, Ohio, via S alter.; MEA \*\*3,000. \*3,000—MRA. \*\*2,400—MOCA.

From Richwood INT, Ohio, via S alter.; to Appleton, Ohio, VOR via S alter.; MEA \*3,000. \*2,400—MOCA.

Section 610.6038 *VOR civil airway 38* is amended to read in part:

From Findlay, Ohio, VOR; to \*Marion INT, Ohio; MEA 2,400. \*3,000—MRA.

From Marion INT, Ohio; to Appletton, Ohio, VOR; MEA 2,400.

Section 610.6039 *VOR civil airway 39* is amended to delete:

From Herndon, Va., VOR; to Lisbon INT, Md.; MEA 2,500.

From Lisbon INT, Md.; to Hereford INT, Md.; MEA \*3,000. \*2,500—MOCA.

Section 610.6039 *VOR civil airway 39* is amended by adding:

From Herndon, Va., VOR; to Westminster, Md., VOR; MEA 2,500.

From Westminster, Md., VOR; to \*Fleetwood INT, Pa.; MEA 2,500. \*4,000—MRA.

From Fleetwood INT, Pa.; to Allentown, Pa., VOR; MEA 2,500.

Section 610.6043 *VOR civil airway 43* is amended to read in part:

From Tiverton, Ohio, VOR; to \*Mt. Hope INT, Ohio; MEA \*\*3,000. \*3,000—MRA. \*\*2,500—MOCA.

Mt. Hope INT, Ohio; to Youngstown, Ohio, VOR; MEA \*3,000. \*2,500—MOCA.



Section 610.6044 VOR civil airway 44 is amended to read in part:

From Centralia, Ill., VOR; to \*Decker INT, Ind.; MEA \*\*8,000. \*8,000—MRA. \*\*2,300—MOCA.

Section 610.6053 VOR civil airway 53 is amended to read in part:

From Peotone, Ill., VOR; to Midway INT, Ill.; MEA 2,300.

Section 610.6055 VOR civil airway 55 is amended to read in part:

From Dayton, Ohio, VOR via W alter.; to \*Union City INT, Ind., via W alter.; MEA \*\*2,500. \*2,500—MRA. \*\*2,200—MOCA.

From Union City INT, Ind., via W alter.; to Ft. Wayne, Ind., VOR via W alter.; MEA \*2,500. \*2,200—MOCA.

From Dayton, Ohio, VOR; to \*Dawn INT, Ohio; MEA \*\*3,000. \*3,000—MRA. \*\*2,200—MOCA.

From Dawn INT, Ohio; to \*Coldwater INT, Ohio; MEA \*\*3,000. \*3,000—MRA. \*\*2,200—MOCA.

From Coldwater INT, Ohio; to Ft. Wayne, Ind., VOR; MEA \*3,000. \*2,200—MOCA.

Section 610.6065 VOR civil airway 65 is amended to read in part:

From Int. 231 T, Kansas City, Mo., VOR and 178 T rads., St. Joseph VOR; to St. Joseph, Mo., VOR; MEA 2,400.

Section 610.6066 VOR civil airway 66 is amended by adding:

From Atlanta, Ga., VOR; to Athens, Ga., VOR; MEA 2,300.

From Athens, Ga., VOR; to Union INT, S. C.; MEA \*3,000. \*1,900—MOCA.

From Union INT, S. C.; to Charlotte, S. C., VOR; MEA 2,000.

Section 610.6068 VOR civil airway 68 is amended to read in part:

From Pipe Line INT, Tex.; to Midland, Tex., VOR; MEA 4,200.

Section 610.6069 VOR civil airway 69 is amended to read in part:

From Big Run INT, Ill.; to Midway INT, Ill.; MEA 2,100.

Section 610.6072 VOR civil airway 72 is amended to read in part:

From Binghamton, N. Y., VOR; to \*Sidney INT, N. Y.; MEA 3,500. \*4,500—MRA.

From Sidney INT, N. Y.; to Rockdale, N. Y., VOR; MEA 3,500.

From Rockdale, N. Y., VOR; to Albany, N. Y., VOR; MEA 4,500.

From Youngstown, Ohio, VOR; to \*Hadley INT, Pa.; MEA 3,500. \*4,000—MRA.

From Hadley INT, Pa.; to Titusville INT, VOR; MEA 3,500.

Section 610.6092 VOR civil airway 92 is amended to read in part:

From Mansfield, Ohio, VOR; to \*Mt. Hope INT, Ohio; MEA 2,500. \*3,000—MRA.

Section 610.6093 VOR civil airway 93 is amended to read in part:

From Lancaster INT, Pa.; to \*Fleetwood INT, Pa.; MEA 2,500. \*4,000—MRA.

From Fleetwood INT, Pa.; to Allentown, Pa., VOR; MEA 2,500.

From Hiram INT, Maine; to Augusta, Maine, VOR; MEA \*4,000. \*3,000—MOCA.

Section 610.6104 VOR civil airway 104 is amended to read in part:

From U. S.-Canadian Border; to Massena, N. Y., VOR; MEA 1,500.

Section 610.6105 VOR civil airway 105 is amended to read in part:

No. 181—2

From Prescott, Ariz., VOR; to \*Peacock INT, Ariz.; MEA 11,000. \*12,000—MRA.

From Peacock INT, Ariz.; to \*Hackberry INT, Ariz.; MEA 11,000. \*13,200—MRA.

Section 610.6106 VOR civil airway 106 is amended to read in part:

From Johnstown, Pa., VOR; to Reedsville INT, Pa.; MEA \*8,000. \*4,500—MOCA.

From Reedsville INT, Pa.; to Sellingsgrove, Pa., VOR; MEA \*8,000. \*4,000—MOCA.

Section 610.6124 VOR civil airway 124 is amended to delete:

From Burley, Idaho, VOR; to Pocatello, Idaho, VOR; MEA 7,000.

Section 610.6128 VOR civil airway 128 is amended to read in part:

From Midway INT, Ill.; to Peotone, Ill., VOR; MEA 2,300.

Section 610.6133 VOR civil airway 133 is amended by adding:

From Walnut Grove INT, W. Va.; to Parkersburg, W. Va., VOR; MEA 3,000.

Section 610.6140 VOR civil airway 140 is amended to read in part:

From Montebello, Va., VOR; to Remington INT, Va.; MEA 6,000.

From Remington INT, Va.; to Herndon, Va., VOR; MEA 3,000.

Section 610.6144 VOR civil airway 144 is amended to read in part:

From Findlay, Ohio, VOR; to \*Marlon INT, Ohio; MEA 2,400. \*3,000—MRA.

From Marlon INT, Ohio; to Appleton, Ohio, VOR; MEA 2,400.

From Midway INT, Ill.; to Peotone, Ill., VOR; MEA 2,300.

Section 610.6153 VOR civil airway 153 is amended to read in part:

From Wilkes-Barre, Pa., VOR; to \*Sidney INT, N. Y.; MEA 4,000. \*4,500—MRA.

From Sidney INT, N. Y.; to \*Georgetown INT, N. Y.; MEA \*\*4,500. \*4,500—MRA. \*\*3,500—MOCA.

From Georgetown INT, N. Y.; to Syracuse, N. Y., VOR; MEA \*4,500. \*3,500—MOCA.

Section 610.6155 VOR civil airway 155 is amended to delete:

From Gordonsville, Va., VOR; to \*Casanova INT, Va.; MEA 3,000. \*4,000—MRA.

From Casanova INT, Va.; to Front Royal, Va., VOR; MEA 4,000.

Section 610.6155 VOR civil airway 155 is amended by adding:

From Gordonsville, Va., VOR; to Remington INT, Va.; MEA 3,000.

Section 610.6156 VOR civil airway 156 is amended by adding:

From Gordonsville, Va., VOR; to Richmond, Va., LFR; MEA 2,000.

Section 610.6157 VOR civil airway 157 is amended by adding:

From Richmond, Va., LFR; to Brooke, Va., VOR; MEA 1,500.

Section 610.6162 VOR civil airway 162 is amended to read in part:

From Reinholds INT, Pa.; to \*Fleetwood INT, Pa.; MEA 2,500. \*4,000—MRA.

From Fleetwood INT, Pa.; to Allentown, Pa., VOR; MEA 2,500.

Section 610.6164 VOR civil airway 164 is amended to delete:

From Bradford, Pa., VOR; to Stonyfork INT, Pa.; MEA 4,500.

Section 610.6164 VOR civil airway 164 is amended by adding:

From Buffalo, N. Y., VOR; to Wellsville, N. Y., VOR; MEA 4,500.

From Wellsville, N. Y., VOR; to Stonyfork INT, Pa.; MEA 4,500.

Section 610.6170 VOR civil airway 170 is amended to read in part:

From Sellingsgrove, Pa., VOR; to Tower City, Pa., VOR; MEA 4,000.

From Tower City, Pa., VOR; to West Chester, Pa., VOR; MEA 3,500.

Section 610.6173 VOR civil airway 173 is amended to read in part:

From Big Run INT, Ill.; to Midway INT, Ill.; MEA 2,100.

Section 610.6191 VOR civil airway 191 is amended to read in part:

From Big Run INT, Ill.; to Midway INT, Ill.; MEA 2,100.

Section 610.6210 VOR civil airway 210 is amended to read in part:

From Cowan INT, Ind.; to \*Union City INT, Ind.; MEA 2,400. \*2,500—MRA.

From Union City INT, Ind.; to \*Dawn INT, Ohio; MEA 2,400. \*3,000—MRA.

From Dawn INT, Ohio; to Sidney, Ohio, VOR; MEA 2,400.

From \*Union Pass INT, Ariz.; to \*\*Hackberry INT, Ariz.; MEA 16,000. \*15,000—MRA. \*\*13,200—MRA.

From Hackberry INT, Ariz.; to Valle, Ariz., VOR; MEA 16,000.

From Valle, Ariz., VOR; to Farmington, N. Mex., VOR; MEA 16,000.

From Farmington, N. Mex., VOR; to Pueblo, Colo., VOR; MEA 16,000.

Section 610.6222 VOR civil airway 222 is amended to read in part:

From Ft. Stockton, Tex., VOR; to Junction, Tex., VOR; MEA \*8,000. \*4,400—MOCA.

Section 610.6238 VOR civil airway 238 is amended by adding:

From Phillipsburg, Pa., VOR; to Coburn INT, Pa.; MEA 4,000.

From Coburn INT, Pa.; to Tower City, Pa., VOR; MEA \*4,500. \*4,000—MOCA.

From Tower City, Pa., VOR; to West Chester, Pa., VOR; MEA 3,500.

From West Chester, Pa., VOR; to Woodstown, N. J., VOR; MEA 1,800.

Section 610.6246 VOR civil airway 246 is amended to read in part:

From Dayton, Ohio, VOR; to \*Spring Hills INT, Ohio; MEA \*\*3,000. \*3,000—MRA. \*\*2,500—MOCA.

From Spring Hills INT, Ohio; to \*Marlon INT, Ohio; MEA \*\*3,000. \*3,000—MRA. \*\*2,500—MOCA.

From Marlon INT, Ohio; to Mansfield, Ohio, VOR; MEA \*3,000. \*2,500—MOCA.

Section 610.6249 VOR civil airway 249 is amended to read in part:

From DeLancey, N. Y., VOR; to Rockdale, N. Y., VOR; MEA 5,000.

From Rockdale, N. Y., VOR; Onelda Co., N. Y., ILS/OM; MEA 4,000.

Section 610.6252 VOR civil airway 252 is amended to read in part:

From Binghamton, N. Y., VOR; to Huguenot, N. Y., VOR; MEA 4,000.

Section 610.6253 VOR civil airway 253 is amended by adding:

From Twin Falls, Idaho, VOR; to Boise, Idaho, VOR; MEA 8,500.

From Mountain Home, Idaho, FM; to Boise, Idaho, VOR northwest bound only; MEA 7,600.

Section 610.6253 VOR civil airway 253 is amended to read in part:

From Tooele, INT, Utah; to Timple INT, Utah; MEA \*15,000. \*13,000—MOCA.

Section 610.6258 VOR civil airway 258 is amended by adding:

From Roanoke, Va., TVOR; to Penhook INT, Va.; MEA 5,000.

Section 610.6262 VOR civil airway 262 is amended to read in part:

From Big Run INT, Ill.; to Midway INT Ill.; MEA 2,100.

Section 610.6266 VOR civil airway 266 is amended by adding:

From Waverly INT, Va.; to Elizabeth City, N. C., VOR; MEA \*3,000. \*1,300—MOCA.

Section 610.6267 VOR civil airway 267 is amended to delete:

From Daytona Beach, Fla., VOR via E alter.; to \*Crescent Lake INT, Fla., via E alter.; MEA 1,200. \*3,000—MRA.

From Crescent Lake INT, Fla., via E alter.; to Roy INT, Fla., via E alter.; MEA \*3,000. \*1,300—MOCA.

Section 610.6267 VOR civil airway 267 is amended to read in part:

From Orlando, Fla., VOR; to Roy INT, Fla.; MEA \*3,000. \*1,300—MOCA.

Section 610.6269 VOR civil airway 269 is amended by adding:

From Twin Falls, Idaho, VOR; to Burley, Idaho, VOR; MEA 6,700.

From Burley, Idaho, VOR; to Pocatello, Idaho, VOR; MEA 7,000.

From Pocatello, Idaho, VOR; to Dubois, Idaho, VOR; MEA 7,500.

Section 610.6276 VOR civil airway 276 is amended by adding:

From Ellwood City, Pa., VOR; to Creekside INT, Pa.; MEA \*4,500. \*3,500—MOCA.

From Creekside INT, Pa.; to Tyrone, Pa., VOR; MEA 4,000.

From Tyrone, Pa., VOR; to Tower City, Pa., VOR; MEA 4,000.

From Tower City, Pa., VOR; to \*Fleetwood INT, Pa.; MEA 4,000. \*4,000—MRA.

From Fleetwood INT, Pa.; to Yardley, Pa., VOR; MEA \*4,000. \*2,500—MOCA.

Section 610.6277 VOR civil airway 277 is amended to read in part:

From \*Plain City INT, Ohio; to \*\*Spring Hills INT, Ohio; MEA 2,400. \*3,500—MRA. \*\*3,000—MRA.

From Spring Hills INT, Ohio; to Sidney, Ohio, VOR; MEA 2,400.

Section 610.6279 VOR civil airway 279 is added to read:

From Columbus, Ohio, LFR; to Findlay, Ohio, VOR; MEA 2,500.

Section 610.6280 VOR civil airway 280 is added to read:

From El Paso, Tex., VOR; to \*Hueco Mt. INT, Tex.; MEA 8,000. \*8,800—MRA.

From Hueco Mt. INT, Tex.; to Pinon, N. Mex., VOR; MEA 8,800.

From Pinon, N. Mex., VOR; to Roswell, N. Mex., VOR; MEA 8,800.

Section 610.6282 VOR civil airway 282 is added to read:

From Cofield, N. C., VOR; to Elizabeth City, N. C., VOR; MEA 1,300.

Section 610.6602 VOR civil airway 1502 is amended by adding:

From Lansing, Mich., VOR; to Salem, Mich., VOR; MEA 2,900.

Section 610.6612 VOR civil airway 1512 is amended to read in part:

From \*Union Pass INT, Ariz.; to \*\*Hackberry INT, Ariz.; MEA 16,000. \*15,000—MRA. \*\*13,200—MRA.

From Hackberry INT, Ariz.; to Valle, Ariz., VOR; MEA 16,000.

From Valle, Ariz., VOR; to Farmington, N. Mex., VOR; MEA 16,000.

Section 610.6616 VOR civil airway 1516 is amended to read in part:

From Valle, Ariz., VOR; to Farmington, N. Mex., VOR; MEA 16,000.

Section 610.6618 VOR civil airway 1518 is amended to read in part:

From Locustgrove INT, Va.; to Washington, D. C., TVOR; MEA 1,500.

Section 610.6620 VOR civil airway 1520 is amended to read in part:

From Biscoe INT, Ark.; to \*Hughes INT, Ark.; MEA \*\*2,500. \*3,000—MRA. \*\*1,700—MOCA.

From Hughes INT, Ark.; to Memphis, Tenn., VOR; MEA \*2,500. \*1,700—MOCA.

From Locustgrove INT, Va.; to Washington, D. C., TVOR; MEA 1,500.

Section 610.6622 VOR civil airway 1522 is amended to read in part:

From Locustgrove INT, Va.; to Washington, D. C., TVOR; MEA 1,500.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective September 26, 1957.

[SEAL] WILLIAM B. DAVIS,  
Acting Administrator of  
Civil Aeronautics.

SEPTEMBER 10, 1957.

[F. R. Doc. 57-7591; Filed, Sept. 17, 1957;  
8:45 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 6762]

#### PART 13—DIGEST OF CEASE AND DESIST ORDERS

J. SCHACHTER

Subpart—*Advertising falsely or misleadingly*: § 13.30 *Composition of goods*: Wool Products Labeling Act; § 13.130 *Manufacture or preparation*: Wool Products Labeling Act; § 13.140 *Old, reclaimed, or reused as new*. Subpart—*Furnishing means and instrumentalities of misrepresentation or deception*: § 13.1056 *Preticketing merchandise*. Subpart—*Misbranding or mislabeling*: § 13.1212 *Formal regulatory and statutory requirements*: Wool Products Labeling Act. Subpart—*Misrepresenting oneself and goods*—Prices: § 13.1811 *Fictitious preticketing*. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure*: § 13.1852 *Formal regulatory and statutory requirements*: Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U. S. C. 45, 68-68c) [Cease and desist order, Jacob Schachter trading as J. Schachter, New York, N. Y., Docket 6762, August 24, 1957]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a manufacturer in New York City with labeling bed comforters falsely as to the wool and other fiber content and failing to label them as required, in violation of the Wool Products Labeling Act; and with representing falsely on advertising streamers and inserts enclosed in individual containers that the filling was 100 percent new material, that the comforters were treated with Westinghouse ultra-violet ray lamps, and that a fictitious and excessive figure was the usual retail price.

Following an agreement for consent order between the parties, the hearing examiner made his initial decision and order to cease and desist which became on August 24 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondent Jacob Schachter, an individual trading as J. Schachter or trading under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of bed comforters or other "wool products", as such products are defined in and subject to said Wool Products Labeling Act, which products contain, purport to contain, or in any way are represented as containing, "wool", "reprocessed wool" or "reused wool" as those terms are defined in said act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to or place on each such product a stamp, tag or label, or other means of identification, showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five per centum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more per-

sons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

It is further ordered, That respondent Jacob Schachter, trading as J. Schachter or trading under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of bed comforters or any other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from directly or indirectly:

1. Representing in any manner that bed comforters or other products are "Westinghouse Ultra-Violet Treated" or treated in any other manner, when such is not the fact.

2. Representing, on labels or in any other manner, that certain amounts are the usual and regular retail prices of products when such amounts are in excess of the prices at which the products are usually and regularly sold at retail.

3. Putting into operation any plan whereby retailers or others may misrepresent (a) the regular and usual retail price of merchandise, and (b) the character, quality or treatment of the materials in such merchandise.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent Jacob Schachter (erroneously referred to in the complaint as Jacob Schacter), an individual trading as J. Schachter, shall within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: August 23, 1957.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 57-7634; Filed, Sept. 17, 1957; 8:46 a. m.]

**TITLE 50—WILDLIFE**

**Chapter I—Fish and Wildlife Service,  
Department of the Interior**

**Subchapter B—Hunting and Possession of  
Wildlife**

**PART 6—MIGRATORY BIRDS**

**SEASONS AND LIMITS ON WATERFOWL, COOTS  
AND WILSON'S SNIPE; CENTRAL FLYWAY  
STATES**

*Basis and purpose.* On August 28, 1957, additional amendments to Part 6, Title 50, Code of Federal Regulations, were adopted to prescribe hunting seasons and bag and possession limits for the 1957-58 seasons on migratory waterfowl, coots and Wilson's snipe in the several States comprising the four flyways which form the basis for the management of these birds. These amendments were published in the FEDERAL REGISTER

on August 31, 1957 (22 F. R. 7058), and will become effective on October 1, 1957.

Included as a part of these amendments were a number of special conditions designed to limit the harvest of particular species of geese frequenting the Central Flyway, particularly the Great Basin Canada goose in the States of Colorado, Montana, and Wyoming. These conditions were prescribed to carry into effect the recommendations contained in a resolution adopted at a meeting held at Santa Fe, New Mexico, on August 2, 1957, by the Central Flyway Waterfowl Council, an advisory group composed of representatives of the game departments of the several States included in the Central Flyway.

Subsequent to the promulgation of the amendments issued on August 28, 1957, this Department has been informed that an error occurred when reproducing the Central Flyway Waterfowl Council's resolution of August 2, 1957, with the result that an area in Uinta County, Wyoming, for which a 75-day goose season was recommended, was inadvertently omitted from the resolution. As a consequence, paragraph (e) of § 6.51 as adopted on August 28, 1957, failed to provide for a

season on geese in a portion of Uinta County, Wyoming, separate and apart from the general goose season fixed for the State of Wyoming for the 1957-58 season.

Additional errors have been discovered in paragraph (e) of § 6.51 in that (1) it fails to implement the recommendation of the Central Flyway Waterfowl Council by restricting the bag and possession limit on geese taken in all areas of Wyoming, except Goshen County, to one (1) Canada goose or its subspecies, and (2) it prescribes a general goose hunting season in the State of Colorado between the dates of November 17 and January 15; whereas the hunting season for geese in Colorado should have been stated as extending from November 2 through December 31.

To correct the errors described and to state more clearly the limitations applicable to the taking and possession of geese in all States in the Central Flyway, paragraph (e) of § 6.51, as the same appears in 22 F. R. 7048, 7050, is revised to read as follows:

§ 6.51 *Seasons and limits on waterfowl, coots, and Wilson's snipe. \* \* \**  
(e) *Central Flyway States.*

	Ducks	Coots	Geese (except Ross's geese)	Wilson's snipe
Daily bag limits.....	5	10	6	8
Possession limits.....	10	10	6	8
Seasons in—				
Colorado <sup>1</sup> .....	Oct. 18-Dec. 31....		Nov. 2-Dec. 31....	Oct. 18-Nov. 16.
Kansas.....	Oct. 12-Dec. 25....		Oct. 12-Dec. 10....	Oct. 12-Nov. 10.
Montana: <sup>2</sup>				
East of Continental Divide.....	Oct. 5-Dec. 18....		Oct. 5-Dec. 3....	Closed season.
West of Continental Divide.....	do.....		Oct. 5-Nov. 18....	Do.
Nebaska.....	do.....		Oct. 12-Dec. 10....	Oct. 5-Nov. 3.
New Mexico.....	Nov. 2-Jan. 15....		Nov. 17-Jan. 15....	Nov. 2-Dec. 1.
North Dakota.....	Oct. 1-Dec. 14....		Oct. 1-Nov. 29....	Oct. 1-Oct. 30.
Oklahoma.....	Oct. 19-Jan. 1....		Oct. 19-Dec. 17....	Dec. 3-Jan. 1.
South Dakota.....	Oct. 5-Dec. 18....		Oct. 5-Dec. 3....	Oct. 5-Nov. 3.
Texas <sup>3</sup> .....	Nov. 1-Jan. 14....		Nov. 1-Dec. 30....	Dec. 16-Jan. 14.
Wyoming: <sup>4</sup>				
Teton County; that part of Lincoln County within the drainages of the Bear, Grey's, Salt, and Snake Rivers; and that part of Uinta County within the drainage of the Bear River.....	Oct. 11-Dec. 24....		Oct. 11-Dec. 24....	Closed season.
Remainder of State.....	do.....		Oct. 26-Dec. 24....	Do.

<sup>1</sup> Wood ducks and mergansers: Daily bag and possession limits may not include more than 1 wood duck and 1 hooded merganser. In addition to the daily bag and possession limits on other ducks, the daily bag limit on American and red-breasted mergansers is 5, possession limit 10, singly or in aggregate of both kinds.

<sup>2</sup> Geese: Throughout all States in the Central Flyway the bag and possession limit on geese in no event may include more than 1 white-fronted goose. In Goshen County, Wyoming; that portion of Montana lying east of the Continental Divide; and throughout all other States in the Flyway, the bag and possession limit on geese may not include, in the alternative, more than (a) 2 Canada geese or its subspecies; or (b) 1 Canada goose and 1 white-fronted goose: *Provided*, That a closed season is prescribed on Canada geese in Moffat County, Colorado. In all areas of Wyoming (other than Goshen County) and in that portion of Montana lying west of the Continental Divide, the bag and possession limit on geese may not include more than 1 Canada goose or its subspecies. A closed season is prescribed on snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, and in the entire State of Wyoming.

<sup>3</sup> Texas: Closed season on black-bellied tree ducks.

The foregoing revision of paragraph (e) of § 6.51 will not affect the terms and conditions accompanying the permission heretofore granted, effective October 1, 1957, to take migratory waterfowl, coots, and Wilson's snipe in the Central Flyway States, except so far as the revision will affect the hunting season for geese throughout the State of Colorado, the hunting dates for geese in a limited area in Uinta County, Wyoming, and the bag and possession limit on geese in all areas of Wyoming, except Goshen County. A correction in the dates for hunting geese in Colorado is necessary to conform the closing date of the goose season with the December 31 closing date of the season on ducks and coots in that State. The revised dates for goose hunting in a portion

of Uinta County, Wyoming, is necessary to effectuate the management of this species in such area in conjunction with the larger segment of the same flock in the adjoining State of Utah. The modification in the bag and possession limit for geese so as to reduce from two to one the number of Canada geese or its subspecies which may be taken and possessed in all areas of Wyoming, except Goshen County, is necessary to prevent an excessive harvest of Canada geese which breed in that State and are in need of greater protection. The revision of paragraph (e) of § 6.51 must be made effective without awaiting the expiration of a full period of 30 days in order to prescribe appropriate restrictions on the number of Canada geese which may be

taken daily and held in possession in Wyoming during the goose season which opens in a part of that State as early as October 11. In the circumstances, it has been determined that notice and public procedure on this revision are impracticable and that the 30-day advance publication requirement imposed by the provisions of section 4 (c) of the Administrative Procedure Act of June 11, 1946, 60 Stat. 238; 5 U. S. C. 1003 (c), may be waived under the exemptions provided in that section. Accordingly, the foregoing revision shall become effective on October 1, 1957.

(Sec. 3, 40 Stat. 755, as amended; 16 U. S. C. 704. Interpret or apply E. O. 10250, 16 F. R. 5385, 3 CFR, 1951 Supp.)

Issued at Washington, D. C., and dated September 12, 1957.

HATFIELD CHILSON,  
Acting Secretary of the Interior.

[F. R. Doc. 57-7628; Filed, Sept. 17, 1957;  
8:45 a. m.]

Subchapter I—Northwest Atlantic Commercial Fisheries

PART 155—HADDOCK AND COD FISHERIES

**Basis and purpose.** At its Fifth Annual Meeting held in Ottawa, Canada, June 6-11, 1955, the International Commission for the Northwest Atlantic Fisheries, a body created pursuant to Article II of the International Convention for the Northwest Atlantic Fisheries signed at Washington, D. C., under date of February 8, 1949, adopted a proposal amending a proposal previously adopted by the Commission in which it had been recommended that the Contracting Governments take appropriate action to prohibit the taking of haddock in Sub-area 5 of the Convention Area with a trawl net having a mesh size of less than four and one-half inches.

Under the terms of the proposal adopted at its Fifth Annual Meeting the Commission's earlier proposal was so amended as to recommend that all Contracting Governments prohibit the taking of cod, as well as haddock, in Sub-area 5 of the Convention Area with a trawl net having a mesh size of less than four and one-half inches. In the amended proposal the restrictions on the mesh size of a net are stated in terms of a trawl net constructed of manila twine, with the provision that when trawl nets other than manila are used they shall have a selectivity equivalent to that of a four and one-half inch manila trawl net. The amended proposal also modified the Commission's previously adopted recommendation that all Contracting Governments restrict the nature and extent of the protective covering (chafing gear) which might be used to reduce and prevent damage to trawl nets used in taking haddock and cod.

At all times since the initial adoption by the International Commission for the Northwest Atlantic Fisheries at its meeting held in St. Andrews, New Brunswick, Canada, June 30-July 9, 1952, of a proposal recommending a mesh size restric-

tion for the taking of haddock in Sub-area 5, the Commission's proposals have limited the exemptions to the restriction to persons taking haddock for the purposes of scientific investigation or to persons having in possession on board a vessel haddock in amounts less than five thousand pounds or ten percent by weight of all fish on board such vessel, whichever is larger. At its Sixth Annual Meeting held in Halifax, Nova Scotia, Canada, June 11-15, 1956, the Commission so amended the proposal adopted at its Fifth Annual Meeting as to provide for an alternative to the "five thousand pound-ten percent" exemption per fishing trip applicable to the taking of haddock and cod in Sub-area 5. Under the alternative provided by the Commission's amended proposal all Contracting Governments may also exempt from the mesh size restriction any person who does not catch, in any period of twelve months, haddock or cod in quantities in excess of ten percent for each species of all the trawl-caught fish taken by such persons during such period of twelve months.

Acceptance of the proposal adopted at the Commission's Fifth Annual Meeting, as amended by the Commission at its Sixth Annual Meeting, was completed by the Governments of the United States and Canada on November 26, 1956. Accordingly, in accordance with the provisions of the International Convention for the Northwest Atlantic Fisheries, the proposal as adopted and amended entered into force with respect to all Contracting Governments on March 26, 1957.

In accordance with section 4 (a) of the Northwest Atlantic Fisheries Act of 1950, a proposed revision of existing regulations designed to implement the Commission's proposals, as described above, was submitted to the Advisory Committee to the United States Commissioners on the International Commission for the Northwest Atlantic Fisheries on March 5, 1957, at which time the proposed revised regulations received the approval, in principle, of the Advisory Committee.

By notice of proposed rule making published on May 30, 1957 (22 F. R. 3797), the public was invited to participate in the adoption of proposed amendments to these regulations by submitting written data, views, or arguments to the Commissioner, U. S. Fish and Wildlife Service, Washington 25, D. C., within a period of thirty days from the publication of the notice. Consideration having been given to all pertinent data received in response to the notice, the part headnote is revised to read as set forth above and the regulations appearing below are adopted to replace Part 155—Haddock Provisions:

- Sec.  
155.1 Meaning of terms.  
155.2 Registration certificates.  
155.3 Restrictions on fishing gear.  
155.4 Temporary suspension of registration certificates.  
155.5 Certain persons and vessels exempted.

**AUTHORITY:** §§ 155.1 to 155.5 Issued under sec. 7, 64 Stat. 1069; 16 U. S. C. 986.

§ 155.1 *Meaning of terms.* When used in this part, unless the context otherwise requires, terms shall have the meanings ascribed in this section.

(a) *Convention area.* All waters, except territorial waters, bounded by a line beginning at a point on the coast of Rhode Island in 71°40' west longitude; thence due south to 39°00' north latitude; thence due east to 42°00' west longitude; thence due north to 59°00' north latitude; thence due west to 44°00' west longitude; thence due north to the coast of Greenland; thence along the west coast of Greenland to 78°10' north latitude; thence southward to a point in 75°00' north latitude and 73°30' west longitude; thence along a rhumb line to a point in 69°00' north latitude and 59°00' west longitude; thence due south to 61°00' north latitude; thence due west to 64°30' west longitude; thence due south to the coast of Labrador; thence in a southerly direction along the coast of Labrador to the southern terminus of its boundary with Quebec; thence in a westerly direction along the coast of Quebec, and in an easterly and southerly direction along the coasts of New Brunswick, Nova Scotia, and Cape Breton Island to Cabot Strait; thence along the coasts of Cape Breton Island, Nova Scotia, New Brunswick, Maine, New Hampshire, Massachusetts, and Rhode Island to the point of beginning.

(b) *Regulatory area.* That portion of the Convention area, including all waters except territorial waters, bounded by a line beginning at the terminus of the international boundary between the United States of America and Canada in Grand Manan Channel at a point in 44°46'35.34" north latitude, 66°54'11.23" west longitude; thence due south to the parallel of 43°50' north latitude; thence due west to the Meridian of 67°40' west longitude; thence due south to the parallel of 42°20' north latitude; thence due east to a point in 66° west longitude; thence along a rhumb line in a south-easterly direction to a point in 42° north latitude; 65°40' west longitude; thence due south to the parallel of 39° north latitude; thence due west to the Meridian of 71°40' west longitude; thence due north to a point three miles off the coast of the State of Rhode Island; thence along the coasts of Rhode Island, Massachusetts, New Hampshire, and Maine at a distance of three miles to the point of beginning.

(c) *Haddock.* Any fish of the species *Melanogrammus aeglefinus*.

(d) *Haddock fishing.* Means and includes (1) the catching, taking, or fishing for or the attempted catching, taking, or fishing for fish of the species *Melanogrammus aeglefinus*; and (2) the outfitting and departure of a vessel for or the return of a vessel from haddock fishing.

(e) *Cod.* Any fish of the species *Gadus callarias*.

(f) *Cod fishing.* Means and includes (1) the catching, taking, or fishing for or the attempted catching, taking, or fishing for fish of the species *Gadus callarias*; and (2) the outfitting and departure of a vessel for or the return of a vessel from cod fishing.

(g) *Fishing vessel.* Every kind, type, or description of watercraft subject to the jurisdiction of the United States used in or outfitted for catching or processing

fish or transporting fish from fishing grounds.

(h) *Trawl net.* Any large bag net dragged in the sea by a vessel or vessels for the purpose of taking fish.

(i) *Cod end.* The bag-like extension attached to the after end of the belly of the trawl net and used to retain the catch.

§ 155.2 *Registration certificates.* (a) Unless permitted to do so by § 155.5, after October 1, 1957, no person shall engage in haddock fishing or cod fishing within the regulatory area, nor shall any person possess, transport or deliver by means of any fishing vessel haddock or cod taken within such area except under a registration certificate issued and in force in conformity with the provisions of this part.

(b) The owner or operator of a fishing vessel may obtain without charge a registration certificate by furnishing, on a form to be supplied by the Bureau of Commercial Fisheries, information specifying the names and addresses of the owner and operator of the vessel, the name, official number and home port of the vessel, and the period for which the registration certificate is desired. The form shall be submitted, in duplicate, to the Regional Director, Bureau of Commercial Fisheries, Boston, Massachusetts, who shall grant the registration certificate for the duration specified by the applicant in the form but in no event to extend beyond the end of the calendar year during which the registration certificate is issued. New registration certificates shall similarly be issued to replace expired, lost or mutilated certificates. An application for replacement of an expiring registration certificate shall be made in like manner as the original application not later than ten days prior to the expiration date of the expiring certificate.

(c) The registration certificate issued by the Bureau of Commercial Fisheries shall be carried at all times on board the vessel for which it is issued and such certificate, the vessel, its gear and equipment shall at all times be subject to inspection for the purposes of this part by officers authorized to enforce the provisions of this part.

§ 155.3 *Restrictions on fishing gear.* (a) No person shall possess at any time on board a vessel for which a registration certificate is in force, or use or attempt to use from such vessel, a trawl net or nets, parts of nets, or netting of manila twine having a mesh size of less than four and one-half inches as defined in this section, nor a trawl net or nets, parts of nets, or netting of material other than manila twine unless it shall have a selectivity equivalent to that of a four and one-half inch manila trawl net.

(b) As used in this section, the term "mesh size of less than four and one-half inches" shall mean: (1) With respect to any part of the net except the cod end, the average size of any twenty consecutive meshes in any row located at least ten meshes from the side lacings measured when wet after use; and (2) with respect to the cod end, the average size of any row of meshes running the

length of the cod end located at least ten meshes from the side lacings, measured when wet after use, or, at the option of the user, a cod end which has been approved, in accordance with paragraph (d) of this section, by an authorized employee of the Bureau of Commercial Fisheries, as having a mesh size when dry before use equivalent to not less than four and one-half inches when wet after use.

(c) All measurements of meshes when wet after use shall be made by the insertion into such meshes under pressure of not less than ten nor more than fifteen pounds of a flat wedge-shaped gauge having a taper of two inches in eight inches and a thickness of three thirty-seconds of an inch.

(d) For the purpose of approving a dry cod end before use, as contemplated by paragraph (b) of this section, the average mesh size of such cod end shall be determined by measuring the length of any single row of meshes running the length of the cod end, parallel to the long axis of the cod end and located at least ten meshes from the side lacings, when stretched under a tension of two hundred pounds, and dividing the length by the number of meshes in such row: *Provided*, That not more than ten percent of the meshes in such row shall be more than one-half inch smaller when measured between knot centers than the average of the row. A cod end so measured which is constructed of one of the twines and is of not less than the average mesh size specified in the table below for such twine may be approved for haddock fishing or cod fishing by any authorized employee of the Bureau of Commercial Fisheries by the attachment to such cod end of an appropriate seal. The omission from the table of one or more specifications of twines shall not preclude the continued use of cod ends constructed from such twines where the cod ends received approval pursuant to the provisions of this part as the same were in effect between the dates of January 1, 1954, and October 24, 1956.

Twine:	Average mesh size
4-ply 45-yard manila, double strand.	5.625 inches (5 $\frac{1}{8}$ " )
4-ply 50-yard manila, double strand.	5.625 inches (5 $\frac{1}{8}$ " )
4-ply 75-yard manila, double strand.	5.625 inches (5 $\frac{1}{8}$ " )
4-ply 80-yard manila, double strand.	5.500 inches (5 $\frac{1}{2}$ " )
120-thread cotton-----	4.250 inches (4 $\frac{1}{4}$ " )
No. 1000 braided nylon cargo netting, single strand (43 yd. per lb.).	4.625 inches (4 $\frac{3}{8}$ " )
No. 400-550 braided nylon parachute cord, single strand.	4.500 inches (4 $\frac{1}{2}$ " )

(e) The alteration, defacement or reuse of any seal affixed to a cod end in accordance with this section is prohibited.

(f) The repair, alteration or other modification of a cod end to which a seal has been affixed in accordance with this section shall invalidate such seal and such cod end shall not thereafter be deemed to be approved for haddock fishing or cod fishing. Nothing contained in this paragraph shall preclude the con-

tinued use at the option of the user of a cod end having an invalidated seal affixed thereto if such cod end after repair, alteration or other modification does not have a mesh size of less than four and one-half inches as defined in paragraph (b) of this section.

(g) For the purposes of this section, a cod end constructed of twine other than manila and not subject to approval and certification when measured dry before use as provided in paragraph (d) of this section shall be deemed to have a selectivity equivalent to that of a four and one-half inch manila trawl net if such cod end has a mesh size of not less than four and one-half inches when measured wet after use in the manner prescribed in paragraph (b) of this section.

(h) The use in haddock fishing or cod fishing within the regulatory area of any device or method which will obstruct the meshes of the trawl net or which otherwise will have the effect of diminishing the size of said meshes is prohibited: *Provided*, That (1) a protective covering of canvas, netting, or other material may be attached to the underside of the cod end only of the net to reduce and prevent damage and (2) a rectangular piece of netting may be attached to the upper side of the cod end only of the net to reduce and prevent damage so long as the netting attached to the upper side of the cod end conforms to the following conditions:

(i) Such netting shall not have a mesh size less than that specified in this section. For the purposes of this paragraph, the required four and one-half inch mesh size when measured wet after use shall be deemed to be the average of the measurements of twenty consecutive meshes in a series across the netting, such measurements to be made with a like gauge inserted into the meshes as specified in paragraph (c) of this section.

(ii) Such netting may be fastened to the cod end of the trawl net only along the forward and lateral edges of the netting and at no other place in the netting.

(iii) Such netting shall not exceed sixteen meshes in length counted parallel to the long axis of the cod end and the width of the netting shall be at least one and one-half times the width of the area of the cod end which is covered; such widths to be measured at right angles to the long axis of the cod end.

§ 155.4 *Temporary suspension of registration certificates.* (a) The owner or operator of any fishing vessel which is proposed to be used in haddock fishing or cod fishing beyond the limits of the regulatory area or is proposed to be used in fishing within such area for species of fish other than haddock or cod, may obtain a temporary suspension of the registration certificate issued for such vessel for the specified period during which such nonregulated fishing is to be conducted.

(b) Temporary suspension of registration certificates shall be granted upon oral or written request, specifying the period of suspension desired, by an authorized officer of the State of Maine or of the State of Massachusetts or by an authorized officer of any one of the fol-

lowing agencies: Bureau of Commercial Fisheries, Coast Guard, Bureau of Customs, Post Office Department. Such officer shall make appropriate endorsement on the certificate evidencing the duration of its suspension.

§ 155.5 *Certain persons and vessels exempted.* Except as otherwise provided in this section, nothing contained in §§ 155.2 to 155.4 shall apply to:

(a) Any person or vessel authorized by the Secretary of the Interior to engage in haddock fishing or cod fishing for scientific purposes.

(b) Any vessel documented as a common carrier by the Government of the United States and engaged exclusively in the carriage of freight and passengers.

(c) Any person who in the course of taking fish other than haddock or cod, takes and possesses a quantity of haddock or cod not exceeding five thousand pounds for each, or ten percent by weight for each, of all fish on board the vessel from which the fishing is conducted, whichever is the greater.

(d) Any person who does not take, in any period of twelve months, haddock or cod in quantities in excess of ten percent by weight for each of said species, of all the trawl-caught fish taken by such person in such period of twelve months. Any person desiring to avail himself of the exemption provided in this paragraph shall first obtain a certificate of exemption and shall comply with the following conditions:

(1) The owner or operator of a fishing vessel proposed to be operated under the exemption authorized in this paragraph may obtain without charge a certificate of exemption by furnishing, on a form to be supplied by the Bureau of Commercial Fisheries, information specifying the name and address of the owner and operator of the vessel and the name, official number, and the home port of the vessel. Each such application must be accompanied by a written statement, certified by the applicant to be correct, listing by weight, species, and catch by month, the total quantities of all fish taken, by means of the vessel to be exempted, during a period of twelve months immediately preceding the date of application. The application form and the certified statement shall be submitted, in duplicate, to the Regional Director, Bureau of Commercial Fisheries, Boston, Massachusetts, who shall grant a certificate of exemption valid for a period of twelve months from the date of issue and authorizing during such period the use of the vessel for which issued in the taking of haddock or cod within the regulatory area without regard to the registration requirements and restrictions on fishing gear imposed, respectively, by §§ 155.2 and 155.3, so long as the vessel and its fishing gear are not used to take haddock or cod in quantities in excess of ten percent by weight for each species of all the trawl-caught fish taken by means of such vessel during the 12-month period covered by the certificate. Duplicate certificates of exemption shall be issued to replace lost or mutilated certificates.

An application for renewal of an expiring certificate of exemption shall be made in like manner as the original application not later than 15 days prior to the expiration date of the expiring certificate, but no renewal shall be granted if it is determined by said Regional Director that the vessel for which a renewal is sought was used to take quantities of haddock or cod in excess of the allowable percentages during the 12-month period covered by the expiring certificate of exemption.

(2) The certificate of exemption issued by the Bureau of Commercial Fisheries shall be carried at all times on board the vessel for which it is issued, and such certificate, the vessel, its gear and equipment, and records pertaining to the catches of fish made by means of such vessel shall at all times be subject to inspection for the purposes of this part by any officer authorized to enforce the provisions of this part.

(3) The owner or operator of a fishing vessel for which a certificate of exemption is in force shall furnish on a form supplied by the Bureau of Commercial Fisheries, immediately following the delivery or sale of a catch of fish made by means of such vessel, a report, certified to be correct by the owner or operator, listing separately by species and weight the total quantities of all fish so sold or delivered. Such reports shall be delivered or mailed, in duplicate, to the said Regional Director.

(4) The owner or operator of a fishing vessel for which a certificate of exemption is in force, who proposes to use such vessel in fishing primarily for haddock or cod during any period of time within the 12-month period covered by the certificate, may obtain a temporary suspension of such certificate in like manner as provided in § 155.4 and may make application to engage in fishing for haddock or cod under a registration certificate as provided in § 155.2. Any haddock or cod taken by means of a vessel for which a registration certificate is in force and by means of haddock fishing or cod fishing conducted in conformity with the restrictions on fishing gear prescribed by § 155.3 shall be excluded from the total of all trawl-caught fish taken during the applicable 12-month period when computing the ratio of haddock or cod to the trawl-caught fish taken during such period. For the purposes of computing the quantities of haddock or cod so to be excluded, the owner or operator of a fishing vessel covered by a suspended certificate of exemption and taking haddock or cod while operating under a registration certificate shall submit catch reports in like manner as provided in subparagraph (3) of this paragraph.

The foregoing revision of Part 155 shall become effective on October 1, 1957.

Issued at Washington, D. C., and dated September 6, 1957.

HATFIELD CHILSON,  
*Acting Secretary of the Interior.*

[F. R. Doc. 57-7627; Filed, Sept. 17, 1957; 8:45 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

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

#### Appendix—Public Land Orders

[Public Land Order 1508]

[Anchorage 031958]

#### ALASKA

#### WITHDRAWING PUBLIC LANDS FOR PROTECTION OF WATER SUPPLY OF CITY OF SITKA AND MT. EDGE CUMBE MEDICAL CENTER

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for the protection of the water supply of the City of Sitka and the Mt. Edgecumbe Medical Center:

#### SITKA AREA

Beginning at corner No. 5 of Tract B, U. S. Survey No. 407, thence

S. 65°30' E., 1,000 feet,  
S. 24°30' W., 1,300 feet,  
N. 65°30' W., 1,000 feet,  
N. 24°30' E., 1,300 feet to point of beginning.

The tract described contains 29.849 acres.

ROGER C. ERNST,  
*Assistant Secretary of the Interior.*

SEPTEMBER 12, 1957.

[F. R. Doc. 57-7629; Filed, Sept. 17, 1957; 8:45 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Agricultural Marketing Service

#### [7 CFR Part 52]

#### UNITED STATES STANDARDS FOR GRADES OF CONCENTRATED ORANGE JUICE FOR MANUFACTURING<sup>1</sup>

#### NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the U. S. Department of Agriculture is considering amendments to the United States Standards (§§ 52.2221-52.2231) for Grades of Concentrated Orange Juice for Manufacturing pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U. S. C. 1621 et seq.). These amend-

<sup>1</sup> Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

ments hereinafter set forth provide principally for a minimum concentration and changes in permitted Brix value to acid ratios.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendments should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U. S. Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed amendments are as follows:

1. Delete § 52.2221 and substitute therefor the following:

§ 52.2221 *Product description.* Concentrated orange juice for manufacturing is the concentrated product obtained from sound, mature fruit of the sweet orange group (*Citrus sinensis*) and the Mandarin group (*Citrus reticulata*), except tangerines. The fruit is prepared by sorting and by washing prior to extraction of the juice and the extracted juice is concentrated. The concentrated orange juice is processed in accordance with good commercial practice; and may or may not require processing by heat, subsequent refrigeration, or freezing to assure preservation of the product, but is not the product known as "frozen concentrated orange juice." The finished product may contain cold pressed orange oil to standardize the flavor and may contain chemical preservatives permissible under the Federal Food, Drug, and Cosmetic Act. The Brix value of the finished concentrate is not less than 20 degrees.

2. Delete § 52.2224 and substitute therefor the following:

§ 52.2224 *Ascertaining the grade of a sample unit—(a) General.* In addition to considering other requirements outlined in the standards the following quality factors are evaluated in ascertaining the grade of a sample unit of concentrated orange juice for manufacturing:

- (1) *Factor not rated by score points.*
- (i) Faculty of reconstituting properly.
- (2) *Factors rated by score points.* The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum numbers of points that may be given such factors are:

Factors:	Points
Color .....	20
Absence of defects .....	40
Flavor .....	40
<b>Total score .....</b>	<b>100</b>

3. Delete § 52.2228 and substitute therefor the following:

§ 52.2228 *Flavor—(a) (A-Mfg.) classification.* Concentrated orange juice of which the reconstituted juice possesses a reasonably good flavor may be given a score of 34 to 40 points. "Reasonably

good flavor" means that the flavor is typical of reconstituted concentrated orange juice from properly processed and concentrated orange juice; that the flavor may range from high acidity to low acidity; is practically free from traces of scorching, caramelization, oxidation, or terpene; and is free from other off flavors of any kind. To score in this classification the ratio of the Brix value of the concentrate to the acid shall be not less than 8 to 1 nor more than 20 to 1.

(b) *(C-Mfg.) classification.* If the reconstituted juice possesses a fairly good flavor a score of 28 to 33 points may be given. Concentrated orange juice that falls into this classification shall not be graded above U. S. Grade C for Manufacturing or U. S. Standard for Manufacturing, regardless of the total score for the product (this is a limiting rule). "Fairly good flavor" means a normal flavor for reconstituted concentrated orange juice; and that the flavor may range from high acidity to low acidity; may have a slightly caramelized or slightly oxidized flavor or may possess traces of terpene but is free from off flavors of any kind. To score in this classification the ratio of the Brix value of the concentrate to the acid shall be not less than 8 to 1 nor more than 24 to 1.

(c) *(SStd-Mfg.) classification.* If the concentrated orange juice fails to meet the requirements of paragraph (b) of this section a score of 0 to 27 points may be given. Concentrated orange juice that falls into this classification shall not be graded above Substandard for Manufacturing, regardless of the total score for the product (this is a limiting rule).

4. Delete § 52.2229 and substitute therefor the following:

§ 52.2229 *Explanation of terms and analyses.* (a) "Reconstituted juice" means the product obtained by thoroughly mixing the concentrate with a sufficient quantity of distilled water to produce an article of between 11.7 and 12.7 degrees Brix.

(b) "Reconstitutes properly" means that the reconstituted juice shows no material separation of colloidal or suspended matter after standing four (4) hours at a temperature of not less than 68 degrees Fahrenheit in a clear glass tube or cylinder (such as a 50 ml. graduated cylinder).

(c) "Acid" means the percent by weight of acid (calculated as anhydrous citric acid) in concentrated orange juice and is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator.

(d) "Brix value" is the refractometric sucrose value of the thawed concentrate determined in accordance with the refractometric method for sugars and sugar products outlined in the "Official Methods of Analysis of the Association of Official Agricultural Chemists," and to which the applicable correction for acid is added.

TABLE I—CORRECTIONS FOR OBTAINING BRIX VALUE<sup>1</sup>

Citric acid, anhydrous (percent by weight)	Correction to be added to refractometer sucrose value to obtain degree Brix value	Citric acid, anhydrous (percent by weight)	Correction to be added to refractometer sucrose value to obtain degree Brix value
2.0.....	0.39	3.6.....	0.70
2.2.....	.43	3.8.....	.74
2.4.....	.47	4.0.....	.78
2.6.....	.51	4.2.....	.81
2.8.....	.54	4.4.....	.85
3.0.....	.58	4.6.....	.89
3.2.....	.62	4.8.....	.93
3.4.....	.66	5.0.....	.97

<sup>1</sup> SOURCE: "Refractometric Determination of Soluble Solids in Citrus Juices," by J. W. Stevens and W. E. Baler, from the Analytical Edition of Industrial and Engineering Chemistry, vol. 11, p. 447, Aug. 15, 1939.

(e) "Brix" of the reconstituted juice means the degree Brix as determined by the Brix hydrometer calibrated at 20 degrees Centigrade (68 degrees Fahrenheit) and to which any applicable temperature correction has been applied.

Dated: September 13, 1957.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator,  
Marketing Services.

[F. R. Doc. 57-7650; Filed, Sept. 17, 1957; 8:48 a. m.]

[ 7 CFR Ch IX ]

[Docket No. AO-299]

MILK IN NORTHLAND MARKETING AREA

NOTICE OF HEARING ON PROPOSED 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 City Council Room, City Hall, Escanaba, Michigan, beginning at 10:00 a. m., local time on October 8, 1957, with respect to a proposed marketing agreement and order to regulate the handling of milk in the Northland marketing area.

This public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions, which relate to the proposed marketing agreement and order, hereinafter set forth, and any appropriate modifications thereof; and for the purpose of determining (1) whether the handling of milk in the area proposed for regulation is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects interstate or foreign commerce, (2) whether there is need for a marketing agreement or order regulating the handling of milk in the area, and (3) whether provisions specified in the proposals or some other provisions appropriate to the terms of the Agricultural Marketing Agreement Act of 1937, as amended, will tend to effectuate the declared policy of the act.

The proposals set forth below have not received the approval of the Secretary of Agriculture.

The following marketing agreement and order is proposed by the Michigan Milk Producers' Association, Pure Milk Products Cooperative, and Vacationland Cooperative Association:

Proposal No. 1:

#### DEFINITIONS

§.1 *Act*. "Act" means Public Act No. 10 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.).

§.2 *Secretary*. "Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

§.3 *U. S. D. A.* "U. S. D. A." means the United States Department of Agriculture.

§.4 *Person*. "Person" means any individual, partnership, corporation, association or any other business unit.

§.5 *Northland Marketing Area*. "Northland Marketing Area" hereinafter referred to as the "Marketing Area", means all the territory including all municipal corporations within: The counties of Alger, Baraga, Chippewa, Delta, Dickinson, Keweenaw, Gogebic, Houghton, Iron, Luce, Mackinac, Marquette, Ontonagon, Schoolcraft and all of Menominee except the township of Menominee, all in the State of Michigan; and the townships of Carey, Kimbell, Oma, Pence, Saxon and the municipal corporation of Hurley, all in Iron County in the State of Wisconsin.

§.6 *Fluid milk plant*. "Fluid milk plant" means all the premises, buildings and facilities of any milk receiving, processing or packaging plant from which:

(a) From which 1,200 pounds per day are shipped, or 20 percent of receipts of milk from dairy farmers, whichever is the lesser is sold as fluid milk products during the month in the marketing area either on the premises or to retail or wholesale routes, directly or through vendors; or

(b) Milk or skim milk is delivered to a plant(s) described in paragraph (a) of this section on 3 or more days in any month.

§.7 *Handler*. "Handler" means (a) a person who operates a fluid milk plant or any other plant from which fluid milk products are disposed of during the month in the marketing area, or (b) a cooperative association with respect to milk customarily received by a handler as described under paragraph (a) of this section which is diverted to a nonhandler for the account of the association.

§.8 *Producer*. "Producer" means a person, other than a producer-handler who produces milk in conformity with the sanitation requirements of any duly constituted health authority or in conformity with the sanitation requirements of the Michigan Grade A Law relating to milk for consumption in the market-

ing area in the form of a fluid milk product, which milk is received directly from the farm at a fluid milk plant or is diverted from such plant for the account of a cooperative association.

§.9 *Producer-Handler*. "Producer-Handler" means a person who is a handler and who produces milk, but receives no milk from other producers.

§.10 *Producer milk*. "Producer milk" means milk delivered by one or more producers.

§.11 *Other source milk*. "Other source milk" means all skim milk and butterfat received at a fluid milk plant in any form, other than that contained in producer milk.

§.12 *Cooperative association*. "Cooperative association" means any cooperative marketing association of producers duly organized as such under the laws of any State, which the Secretary determines:

(a) To be qualified under the standards set forth in the act of Congress of February 18, 1922, as amended, known as the Capper-Volstead Act;

(b) To have full authority in the sale of milk of its members, and

(c) To be engaged in making collective sales or marketing milk or its products for its members.

§.13 *Fluid milk product*. "Fluid milk product" means milk, flavored milk, skim milk, buttermilk, half and half or cream or any other fluid products carrying the Grade A label.

§.14 *Associated producer*. "Associated producer" means a producer who with respect to any milk not accepted at or accounted for by a handler at a fluid milk plant in any month, meets all of the following qualifications:

(a) Produces milk in conformity with the sanitation requirements of any duly constituted health authority relating to milk for consumption in the area in the form of a fluid milk product.

(b) Delivered milk anytime during the preceding period of July through November which milk was received at/or diverted from a fluid milk plant; and

(c) Certifies in writing to the market administrator, on or before the first day of any month following the first month in which any of his milk is not accepted at/or accounted for by a handler at a fluid milk plant, that he is ready and willing to deliver his milk to such fluid milk plant, and does so perform in response to appropriate request from the handler through the market administrator.

§.15 *Associated producer milk*. "Associated producer milk" means that portion of the milk produced by one or more associated producers which is not accepted at/or accounted for by a handler at a fluid milk plant and which milk is sold for manufacturing purposes.

#### MARKET ADMINISTRATOR

§.16 *Designation*. The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by,

and shall be subject to removal by the Secretary.

§.17 *Powers*. The market administrator shall have the following powers with respect to this part.

(a) To administer its terms and provisions;

(b) To receive, investigate and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§.18 *Duties*. The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(c) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(d) Pay out of the funds provided by §.41:

(1) The cost of his bond and of the bonds of his employees

(2) His own compensation, and:

(3) All other expenses except those incurred under §.42, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties.

(e) Keep such books and records as will clearly reflect the transactions provided in this part, and, upon request by the Secretary surrender the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means he deems appropriate, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to §§.19 and .20 or (2) payments pursuant to §§.39, .41 and .42.

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) Audit records of all handlers to verify the reports and payments required pursuant to the provisions of this part; and

(i) Publicly announce the prices determined for each month as follows:

(1) On or before the 5th day of each month, the minimum class prices for the preceding month computed pursuant to §§.32 and .33 and the handler butterfat differential computed pursuant to §.35 and

(2) On or before the 12th day of each month the uniform price for each han-



handler for the preceding month, computed pursuant to § 37 and the producer butterfat differential computed pursuant to § 40.

(j) On or before the 8th day of the delivery month, furnish to each handler operating a fluid milk plant the names and addresses of any associated producers who have declared their willingness to deliver milk to such plant pursuant to § 14.

(k) On or before the 12th day following the delivery month notify each handler of the quality and butterfat test of associated producer milk assigned to such handler and the amount to be remitted to the market administrator therefore pursuant to § 39.

REPORTS, RECORDS AND FACILITIES

§ 19 *Monthly reports of receipts and utilization.* On or before the 5th working day of each month, each handler shall report to the market administrator for the preceding month, in the detail and on forms prescribed by the market administrator the following with respect to (a) all producer milk received (b) all skim milk and butterfat in any form received from other handlers, and (c) all other source milk (except any non-fluid milk product which is disposed of in the same form as received) received at a plant(s) described in § 6:

(1) The quantities of butterfat and skim milk contained in such receipts and their sources;

(2) The utilization or disposition of such receipts; and

(3) Such other information with respect to such receipts and their utilization or disposition as the market administrator may prescribe.

§ 20 *Other reports.* (a) Each producer-handler and each handler shall make reports at such time and in such manner as the market administrator may request;

(b) On or before the 20th day of each month each handler who received milk from producers shall report his producer payroll for the preceding month which shall show:

(1) The pounds of milk received from each producer and the percentage of butterfat contained therein;

(2) The amount and date of payment to each producer (or to a cooperative association); and

(3) The nature and amount of each deduction or charge involved in the payments referred to in subparagraph (2) of this paragraph.

(c) Each associated producer shall submit to the market administrator:

(1) On or before the 5th day following the delivery month, a statement of the quantity and butterfat test of his milk sold for manufacturing purposes, and

(2) On or before the 20th day following such delivery month, payment statements, weight slips, or other acceptable evidence to verify the quantity and butterfat test of milk sold for manufacturing purposes.

§ 21 *Records and facilities.* Each handler shall maintain and make available to the market administrator, during the usual hours of business such accounts and records of all of his operations and

such facilities as are necessary to verify reports or to ascertain the correct information with respect to:

(a) The receipts and utilization or disposition of all skim milk and butterfat received, including all milk products received and disposed of in the same form;

(b) The weights and tests for butterfat, skim milk and other contents of all milk and milk products handled, and

(c) Payments to producers and cooperative associations.

§ 22 *Retention of records.* All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided*, That if within such three year period, the market administrator notifies a handler in writing that the retention of such books and records, or of specified books and records is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records until further written notification from the market administrator. The market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 23 *Skim milk and butterfat to be classified.* All skim milk and butterfat received at a handler plant:

(a) In milk from producers or from a cooperative association

(b) In any form from other handlers, and

(c) In other source milk required to be reported pursuant to § 19, shall be classified (separately as skim milk and butterfat) in the classes set forth in § 24.

§ 24 *Classes of utilization.* Subject to the conditions set forth in §§ 23 and 26, the classes of utilization shall be:

(a) Class I utilization shall be all skim milk and butterfat:

(1) Disposed of for consumption in fluid form as milk, flavored milk drinks, skim milk, cream, half & half, or other mixtures of milk containing less than 18 percent butterfat, cultured milk, modified milk, yogurt and any new fluid products not named in Class II (b) of this section)

(2) Not accounted for as Class II of this section in excess of 2 percent of total receipts.

(b) Class II utilization shall be all skim milk and butterfat:

(1) Used to produce ice cream, ice cream mix, cottage cheese, whole and skim condensed or evaporated milk (sweetened or unsweetened) in bulk and hermetically sealed cans, cheese, dried whole milk and non-fat dry milk solids or butter.

(2) In actual shrinkage of skim milk and butterfat in milk received from producers, but not to exceed 2 percent of such receipts.

(3) In actual shrinkage of other source milk, or

(4) In skim milk authorized by the market administrator to be dumped and disposed of as livestock feed, or

(5) Any other mixture and/or cream not included in Class I containing more than 6 percent butterfat not labeled Grade A.

§ 25 *Shrinkage.* (a) If producer milk is utilized in conjunction with other source milk, the shrinkage shall be allocated pro rata between the receipts of skim milk and butterfat in producer milk and other source milk.

(b) Producer milk transferred by a handler to another handler without first having been received for the purpose of weighing and testing in the transferor handler's plant shall be included in the receipts at the plant of the transferee handler for the purpose of computing his shrinkage and shall be excluded at the plant of the transferor handler in computing his shrinkage.

§ 26 *Transfers.* (a) Skim milk and butterfat disposed of from a fluid milk plant to another handler in the form of milk or skim milk shall be Class I utilization, unless another class utilization is indicated by both handlers in their reports submitted pursuant to § 19: *Provided*, That in no event shall the amount so classified in other classes be greater than the amount of producer milk used in such class by the transferee handler after allocating other source milk in his plant in series beginning with the lowest priced utilization.

(b) Skim milk and butterfat moved in the form of milk or skim milk from a fluid milk plant to a person not a handler shall be Class I utilization unless all of the following conditions are met:

(1) Class II utilization is indicated by the handler in his report submitted pursuant to § 19.

(2) The operator of the transferee plant had actually used in the month of such movement an equivalent amount of skim milk and butterfat in Class II or moved such amount to another plant not operated by a handler which meets the requirements of subparagraph (3) of this paragraph and utilized in the month an equivalent amount of skim milk and butterfat in Class II.

(3) The operator of the transferee plant maintains books and records which are made available if requested by the market administrator and which are adequate for the verification of such Class II utilization.

(c) Skim milk and butterfat disposed of from a fluid milk plant to a producer-handler shall be Class I utilization.

§ 27 *Responsibility of handlers and reclassification.* All skim milk and butterfat shall be classified as Class I utilization unless the handler who first received such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

§ 28 *Computation of skim milk and butterfat in each class.* For each month the market administrator shall correct for mathematical and obvious errors the monthly report submitted by each handler and compute the total pounds of skim milk and butterfat respectively, in

Class I and II utilization for such handler.

**§.29 Allocation of butterfat classified.** The pounds of butterfat remaining after making the following computations shall be the pounds in each class allocated to milk received from producers:

(a) Subtract from the pounds of butterfat remaining in each class, in series beginning with the lowest priced utilization, the pounds of butterfat in other source milk received from a plant(s) other than those subject to another marketing agreement or order issued pursuant to the act.

(b) Subtract from the total pounds of butterfat in Class II utilization, the pounds of butterfat shrinkage allowed pursuant to §.24.

(c) Subtract from the pounds of butterfat in each class the pounds of butterfat contained in milk or milk products received in packaged form which were classified and priced under another marketing agreement or order issued pursuant to the act and disposed of in the same form as received.

(d) Subtract from the remaining pounds of butterfat in each class the pounds of butterfat received from other handlers in such classes pursuant to §.26 (a); and

(e) Add to the remaining pounds of butterfat in Class II utilization the pounds of butterfat in milk received from producers; subtract such excess from the remaining pounds of butterfat in each class in series, beginning with the lowest priced utilization.

**§.30 Allocation of skim milk classified.** Allocate the pounds of skim milk in each class to milk received from producers in a manner similar to that prescribed for butterfat in §.29.

#### MINIMUM PRICES

**§.31 Basic formula price.** The basic formula price to be used in determining the price per hundredweight of Class I utilization shall be the highest of the prices computed pursuant to paragraphs (a) and (b) of this section.

(a) The average of the basic or field prices per hundredweight reported to have been paid, or to be paid, for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the U. S. D. A.

#### Present Operator and Location

Borden Co., Mt. Pleasant, Mich.  
Borden Co., New London, Wis.  
Borden Co., Orfordville, Wis.  
Carnation Co., Oconomowoc, Wis.  
Carnation Co., Richland Center, Wis.  
Carnation Co., Sparta, Mich.  
Pet Milk Co., Coopersville, Mich.  
Pet Milk Co., Belleville, Wis.  
Pet Milk Co., New Glarus, Wis.  
Pet Milk Co., Wayland, Mich.  
White House Milk Co., Manitowoc, Wis.  
White House Milk Co., West Bend, Wis.

(b) The price per hundredweight computed by adding together the plus values computed pursuant to subparagraphs (1) and (2) of this paragraph.

(1) From the simple average, as computed by the market administrator, of the daily wholesale selling prices (using

the mid-point of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the U. S. D. A. during the month; subtract 3 cents, add 20 percent thereof and multiply by 3.5.

(2) From the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound for nonfat milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the U. S. D. A., deduct 5.5 cents and then multiply by 8.2.

**§.32 Class I milk price.** (a) For the purpose of establishing the price to be paid for Class I utilization by handlers regulated under this order, three zones shall be established as follows:

**Zone 1.** All territory outside of the marketing area.

**Zone 2.** Counties of Ontonagon, Gogebic, Iron, Dickinson, Delta and all of Menominee County except the township of Menominee all in the State of Michigan, and the townships of Carey, Kimbell, Oma, Pence, Saxon, and the municipal corporation of Hurley, all in the Iron County in the State of Wisconsin.

**Zone 3.** Shall be comprised of the counties of Keweenaw, Houghton, Baraga, Marquette, Alger, Schoolcraft, Luce, Mackinac, Chippewa, all in the State of Michigan.

(b) The minimum price per cwt. to be paid by each handler f. o. b. his plant, as described in §.6, for 3.5 percent butterfat content milk received from producers or a cooperative association during the month which is classified as Class I utilization received in the plants located in the zones indicated, shall be priced as follows:

**Zone 1.** The basic formula price plus \$1.00 per cwt.

**Zone 2.** The basic formula price plus \$1.20 per cwt.

**Zone 3.** The basic formula price plus \$1.40 per cwt.

**§.33 Class II milk price.** The minimum price per hundredweight to be paid by each handler f. o. b. his plant as described in §.7 for milk of 3.5 percent butterfat content received from producers or from a cooperative association, during the month, which is classified as Class II utilization shall be the price as computed by the market administrator by using the highest price formula pursuant to §.31 (a) and (b).

**§.35 Handler butterfat differential.** There shall be added to or subtracted from as the case may be, the prices of milk for the various classes as computed pursuant to §§.32 and .33 for each one-tenth of one percent variation and the average butterfat test of the milk in each class above or below 3.5 percent an amount as indicated below:

(a) Class I butterfat differential shall be computed by multiplying .122 times the average price of butter as described in §.31 (b).

(b) Class II butterfat differential shall be computed by multiplying .122 times the average price of butter as described in §.31 (b).

#### HANDLER'S OBLIGATION AND UNIFORM PRICE

**§.36 Value of producer milk.** The value of producer milk received by each handler during the month shall be the sum of money computed by the market administrator by multiplying the hundredweight of skim milk and butterfat in each class by the applicable class prices and adding together the resulting amounts and adding or subtracting as the case may be the amount necessary to correct errors in classification for previous months as disclosed by audit of the market administrator: *Provided*, That if a handler, after the subtraction of other source milk and receipts from other handlers has disposed of skim milk or butterfat in excess of the skim milk or butterfat which on the basis of his reports for the month, pursuant to §.19 has been credited to his producers as having been received from them there shall be added to the value of his producers milk a further amount computed by multiplying the pounds in each class as subtracted pursuant to §.29 and the corresponding step of §.30 by the applicable class price.

**§.37 Computation of uniform price.** For such month the market administrator shall compute for each handler a "uniform price" per hundredweight of producer milk of 3.5 percent butterfat content delivered to plants located in the marketing area as follows:

(a) Add the value, at the Class II price, of the quantity of associated producer milk reported pursuant to §.20 (c) (1);

(b) Subtract from the value of milk computed for such handler pursuant to §.36 and this paragraph, if the weighted average butterfat test of all milk represented by such value is greater than 3.5 percent or add, if the weighted average butterfat test of such milk is less than 3.5 percent an amount computed by multiplying the total pounds of butterfat represented by the difference of such weighted average butterfat test from 3.5 percent by the butterfat differential computed pursuant to §.40 multiplied by 10;

(c) Adjust the resulting amount by the sum of money used in adjusting the uniform price, pursuant to paragraph (e) of this section for the previous month to the nearest cent;

(d) Divide the result by the total hundredweight of:

(1) The producer milk represented by the amount computed pursuant to §.36, and

(2) The associated producer milk specified in paragraph (a) of this section.

(e) Adjust the resulting figure to the nearest cent.

**§.38 Notification.** On or before the 12th day after the end of each month, the market administrator shall mail to each handler, at his last known address a statement showing for such month;

(a) The amount and value of his producer milk in each class;

(b) The uniform price for such handler computed pursuant to §.37 and the butterfat differential computed pursuant to §.40;

(c) The amounts to be paid by such handler pursuant to § .41; and

(d) The amounts to be paid to the market administrator for associated producer milk pursuant to § .39 (c).

**PAYMENT FOR MILK**

**§ .39 Time and method of payment.**

(a) Except as provided in paragraph (b) of this section, on or before the 15th day after the end of each month each handler who received milk from producers shall pay for milk received during such month to each producer for milk received from him the uniform price as provided in § .37 adjusted by the butterfat differential pursuant to § .40.

(b) (1) Upon receipt of a written request from a cooperative association which the Secretary determines is authorized by its members to collect payment for their milk and receipt of a written promise to reimburse the handler the amount of any actual loss incurred by him because of any claim on the part of the association, each handler shall pay to the cooperative association on or before the 10th day of each month, in lieu of payments pursuant to paragraph (a) of this section an amount equal to the gross sum due for all milk received from certified members, less amount owing by each member-producer to the handler for supplies purchased from him on prior written order or as evidenced by a delivery ticket signed by the producer and submit to the cooperative association on or before the 10th day of each month, written information which shows for each such member-producer:

- (i) The total pounds of milk received from him during the preceding month,
- (ii) The total pounds of butterfat contained in such milk,
- (iii) The number of days on which milk was received, and
- (iv) The amounts withheld by the handler in payment for supplies sold.

The foregoing payment and submission of information shall be made with respect to milk of each producer whom the cooperative association certifies is a member, which is received on and after the first day of the calendar month next following receipt of such certification through the last day of the month next preceding receipt of notice from the cooperative association of a termination of membership or until the original request is rescinded in writing by the association.

(2) A copy of each such request, promise to reimburse, and a certified list of members shall be filed simultaneously with the market administrator by the association and shall be subject to verification at his discretion, through audit of the records of the cooperative association pertaining thereto. Exceptions, if any, shall be made by written notice to the market administrator, and shall be subject to his determination.

(c) Payments for associated producer milk.

(1) On or before the 5th day after the end of each month each handler having associated producer milk shall remit to the market administrator for payment to associated producers, an amount com-

puted by multiplying the quantity of associated producer milk determined pursuant to § .18 (k) by the difference between such handler's uniform price as determined pursuant to § .37.

(2) Such amounts shall be maintained by the market administrator in a separate fund out of which he shall, on or before the 25th day after the end of each delivery month, make payments to associated producers on the basis of the verifiable quantity records submitted by them pursuant to § .20 (c) (2).

**§ .40 Producer butterfat differential.**

In making payments pursuant to § .39, the uniform price shall be increased or decreased for each one-tenth of one percent of butterfat content in the milk received from each producer or a cooperative association above or below 3.5 percent as the case may be, by a butterfat differential of 7 cents when the average price of butter as described in § .31 (b) (1) is 60 cents, which differential shall be increased one-half cent for each full 5 cents variance in such price of butter above 60 cents, and decreased one-half cent for each full 5 cents variance in such price of butter below 64.99 cents.

**§ .41 Expense of administration.** As his pro rata share of the expense of administration of this part, each handler shall pay to the market administrator on or before the 13th day after the end of each month 5 cents per hundredweight or such amount not exceeding 5 cents per hundredweight as the Secretary may prescribe with respect to:

- (a) All receipts within the month of milk from producers, including milk of such handler's own production.
- (b) Associated producer milk, and
- (c) Any other source milk allocated to Class I pursuant to §§ .29 and .30.

**§ .42 Marketing services.** (a) Except as set forth in paragraph (b) of this section, each handler, in making payments pursuant to § .39 for milk received from each producer (including milk of such handler's own production) at a plant not operated by a cooperative association of which such producer is a member, shall deduct 10 cents per hundredweight, or such amount not exceeding 10 cents per hundredweight as the Secretary may prescribe, and on or before the 13th day after the end of each month shall pay such deductions to the market administrator. Such monies shall be used by the market administrator to verify weights, samples and tests of milk received from producers and to provide producers with market information, such services to be performed by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members, and for whom a cooperative association is actually performing the services described in paragraph (a) of this section, as determined by the Secretary, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from payments required pursuant to § .39 as may be authorized by such producers, and pay such deduc-

tions on or before the 13th day after the end of the month to the cooperative association rendering such services of which such producers are members.

**§ .43 Errors in payment.** Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses adjustments to be made, for any reason, which result in monies due:

(a) To the market administrator from such handler,

(b) To such handler from the market administrator, or

(c) To any producer or cooperative association from such handler the market administrator shall promptly notify such handler of any such amount due; and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred, following the 5th day after such notice.

**§ .44 Overdue accounts.** Any unpaid obligation of a handler or of the market administrator pursuant to §§ .41 and .42, shall be increased one-half of one percent on the first day of the month next following the due date of such obligation and on the first day of each month thereafter until such obligation is paid.

**§ .45 Milk caused to be delivered by cooperative association.** Milk referred to in this part as received from producers by a handler shall include milk of producers caused to be delivered to such handler by a cooperative association.

**§ .46 Producer-handler exemption.** A producer-handler shall be exempt from all provisions of this part except, §§ .20, .21 and .22.

**§ .47 Milk subject to other Federal orders.** Milk received at the plant of a handler at which the handling of milk is fully subject during the month to the provisions of another Federal order and sold within the marketing area designated in this proposal, shall be paid for at the highest price prevailing under the two respective orders, and reports of sales shall be made to the respective market administrator: *Provided, however,* That the applicable prices paid shall be reflected back to the producers delivering milk to the handler affected.

**ADDITIONAL PROPOSALS**

Proposed by the Pine Mountain Dairy:  
 Proposal No. 2: (a) That the marketing area should include the following additional territory, the town of Niagara, in Marinette County and the townships of Florence and Aurora, in Florence County, all in the State of Wisconsin.

(b) That the entire Northland Marketing Area should be designated as one zone.

Proposed by the Fairmont Foods Company:

Proposal No. 3: That the marketing area include the following additional territory: Menominee Township, Menominee County, Michigan, and Brown, Calumet, Door, Florence, Fond du Lac, Forest, Iron, Juneau, Kewaunee, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Oconto, Oneida, Outagamie, Portage, Sheboygan, Sha-

wano, Vilas, Waupaca, Winnebago and Wood Counties, all in the State of Wisconsin.

Proposed by M & M Producers Dairy and Menominee Ideal Dairy:

Proposal No. 4: That the marketing area include the following additional territory: Menominee Township, Menominee County, Michigan and Marinette County, Wisconsin.

Proposed by the Consolidated Badger Cooperative:

Proposal No. 5: That returns to producers be distributed through a market-wide pool.

Proposed by the Dairy Division, Agricultural Marketing Service:

Proposal No. 6: That the following sections be included:

**§.48 Equivalent price provision.** Whenever the provisions of this part require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining minimum class prices or for any other purpose and the specified price is not reported or published, the market administrator shall use a price determined by the Secretary to be equivalent to, or comparable with, the price specified.

**§.49 Termination of obligations.** The provisions of this section shall apply to any obligations under this subpart for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the ----- month during which the market administrator receives the handler's report of utilization of the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the name of such producer(s) or associations or, if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the month

following the month during which such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the month during which the payment (including deduction or setoff by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

**§.50 Effective time.** The provisions of this subpart, or any amendment to this subpart, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

**§.51 Suspension or termination.** The Secretary shall, whenever he finds that this subpart, or any provision of this subpart, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this subpart or any such provision of this subpart.

**§.52 Continuing obligation.** If upon the suspension or termination of any or all provisions of this subpart, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

**§.53 Liquidation.** Under the suspension or termination of the provisions of this subpart, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers, in an equitable manner.

**§.54 Agents.** The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

**§.55 Separability of provisions.** If any provision of this subpart, or the application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this subpart, to other persons or circumstances shall not be affected thereby.

Copies of this notice may be procured from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 13th day of September 1957.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator.

[F. R. Doc. 57-7644; Filed, Sept. 17, 1957;  
8:47 a. m.]

### [ 7 CFR Part 942 ]

[Docket No. AO-103-A15]

#### MILK IN NEW ORLEANS, LA., MARKETING AREA

#### NOTICE OF EXTENSION OF TIME FOR FILING EXCEPTIONS TO RECOMMENDED DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND ORDER, AS AMENDED

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 that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area, which was issued September 4, 1957 (22 F. R. 7076), is hereby extended to September 21, 1957.

Dated: September 13, 1957.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator.

[F. R. Doc. 57-7645; Filed, Sept. 17, 1957;  
8:49 a. m.]

### [ 7 CFR Part 958 ]

#### IRISH POTATOES GROWN IN COLORADO NOTICE OF PROPOSED EXPENSES AND RATE OF ASSESSMENT

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment hereinafter set forth, which were recommended by the area committee for Area No. 2 established pursuant to Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958) regulating

the handling of Irish potatoes grown in the State of Colorado, issued under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 958.224 *Expenses and rate of assessment.* (a) The reasonable expenses that are likely to be incurred by the area committee for Area No. 2, established pursuant to Marketing Agreement No. 97 and Order No. 58, to enable such committee to perform its functions pursuant to the provisions of aforesaid marketing agreement and order, during the fiscal period ending May 31, 1958, will amount to \$3,024.00.

(b) The rate of assessment to be paid by each handler, pursuant to Marketing Agreement No. 97 and Order No. 58, shall be one-tenth of one cent (\$0.001) per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58.

(49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 13, 1957.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Division, Agricultural Marketing  
Service.

[F. R. Doc. 57-7648; Filed, Sept. 17, 1957;  
8:48 a. m.]

[ 7 CFR Part 997 ]

FILBERTS GROWN IN OREGON AND  
WASHINGTON

BUDGET OF EXPENSES OF FILBERT CONTROL  
BOARD FOR CROP YEAR BEGINNING AUGUST  
1, 1957

Notice is hereby given that the Secretary is considering a proposed rule to establish a budget of expenses of the Filbert Control Board of \$27,225 for the crop year beginning August 1, 1957. The proposed rule, which is based on recommendations of the Filbert Control Board and other information available to the Secretary, would be established in accordance with the applicable provisions of Marketing Agreement No. 115 and Order No. 97, as amended (7 CFR Part 997), regulating the handling of filberts grown in Oregon and Washington. Said marketing agreement and order is effective under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Consideration will be given to data, views or arguments pertaining to the proposed rule which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, U. S. Department of Agriculture, Washington

25, D. C., not later than the tenth day after publication of this notice in the FEDERAL REGISTER.

The quantity of filberts certified as merchantable is presently estimated at approximately 16.5 million pounds for the 1957-58 crop year. On this basis, the assessment rate of two tenths of a cent (.2¢) per pound of filberts certified as merchantable, as fixed by § 997.91 (a) of the aforesaid marketing agreement and order, would result in the collection of sufficient funds to meet the estimated expenses for the 1957-58 crop year and provide a reasonable excess to defray board expenses during the first four months of the 1958-59 crop year. The marketing agreement and order provides that funds which are collected in excess of expenditures for a crop year may be used temporarily by the board to defray expenses during the first four months of the following crop year, but must be re-

funded to the handlers from whom collected within five months from the beginning of such crop year.

The proposed rule is as follows:

§ 997.302 *Budget of expenses of the Filbert Control Board for the crop year beginning August 1, 1957.* The budget of expenses for the crop year beginning August 1, 1957 shall be in the total amount of \$27,225 for the maintenance and functioning of the Filbert Control Board, and for such purposes as the Secretary may, pursuant to the provisions of the agreement and order, determine to be appropriate.

Dated: September 13, 1957.

[SEAL] S. R. SMITH,  
Director,  
Fruit and Vegetable Division.

[F. R. Doc. 57-7647; Filed, Sept. 17, 1957;  
8:47 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket Nos. S-68, S-71]

MATSON ORIENT LINE, INC. AND UNITED STATES LINES CO.

NOTICE OF FURTHER PREHEARING CONFERENCE

Matson Orient Line, Inc., application for operating-differential subsidy on trade route No. 12 (U. S. Atlantic/Far East); Docket No. S-68.

United States Lines Company, application for increased subsidized sailings on trade route No. 12—Far East service; Docket No. S-71.

Notice is hereby given that a further prehearing conference in these consolidated proceedings will be held before Examiner C. W. Robinson on September 23, 1957, at 9:30 a. m., e. d. t., in Room 4519, New General Accounting Office Building, Washington, D. C.

The conference will be limited (1) to the fixing of the date for the hearing, and (2) to whether the direct testimony of witnesses shall be in the form of written statements rather than oral.

Dated: September 12, 1957.

By order of the Federal Maritime Board.

JAMES L. PIMPER,  
Secretary.

[F. R. Doc. 57-7640; Filed, Sept. 17, 1957;  
8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Department of the Air Force has filed an application, Serial No. Anchorage 036591, for the withdrawal of the

lands described below, from all forms of appropriation under the public land laws including mining and mineral leasing. The applicant desires the land for communications station purposes.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

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

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.

The lands involved in the application are:

RABBIT CREEK AREA

T. 12 N., R. 3 W., Seward Meridian,  
Section 36: SE¼NW¼SE¼NW¼.

Containing 2.50 acres.

L. T. MAIN,  
Operations Supervisor, Anchorage.

[F. R. Doc. 57-7643; Filed, Sept. 17, 1957;  
8:47 a. m.]

OREGON

REVOKING AIR NAVIGATION SITE WITHDRAWAL NO. 81; ORDER PROVIDING FOR OPENING OF PUBLIC LAND

SEPTEMBER 9, 1957.

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214), and pursuant to the authority delegated by sec. 2.5 of Bureau of Land Management Order No. 541 of April 21, 1954 (19 F. R. 2473) as amended, it is ordered as follows:

1. Air Navigation Site Withdrawal No. 81, dated June 11, 1932, affecting lands described below, is hereby revoked.

WILLAMETTE MERIDIAN, OREGON

T. 12 S., R. 43 E.,  
Sec. 1: SW¼;  
Sec. 12: NE¼NW¼.

Approximately 200.00 acres.

2. The lands are in Baker County, Oregon, near Durkee. The elevation varies from 3,500 to 4,000 feet above sea level. The terrain varies from rolling to mountainous. The soil is a medium sandy loam intermingled with surface and solid rock. The land supports a stand of native grasses and sagebrush, and is valuable for the grazing of livestock. The land is not suitable for any agricultural use.

3. No application will be allowed under the homestead, desert land, small tract, or other nonmineral public land laws unless the lands have already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any existing valid rights and the requirements of applicable law, the lands described in paragraph 1 hereof, are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 USC 279-284 as amended), presented prior to 10:00 a. m. on October 14, 1957, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on January 13, 1958, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a. m. on January 13, 1958, will be considered as simultaneously filed at that

hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands will be open to location under the United States mining laws, beginning 10:00 a. m., on January 13, 1958.

5. Persons claiming veteran's preference rights under paragraph (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

6. Inquiries concerning the above lands shall be addressed to Manager, Land Office, Bureau of Land Management, 1001 N. E. Lloyd Blvd., P. O. Box 3861, Portland 8, Oregon.

ELTON M. HATTAN,  
Acting State Supervisor.

[F. R. Doc. 57-7630; Filed, Sept. 17, 1957;  
8:45 a. m.]

[Classification Order 130]

NEVADA

SMALL TRACT CLASSIFICATION

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F. R. 2473), I hereby classify the following described public lands, totalling 320 acres in Clark County, Nevada, as suitable for lease and sale for residence purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended:

MOUNT DIABLO MERIDIAN

T. 20 S., R. 60 E.,  
Sec. 29, E½.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the mineral leasing laws.

3. The lands classified by this order shall not become subject to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to application or bid with a preference right to veterans of World War II and of the Korean conflict and other qualified persons entitled to preference under the Act of September 27, 1944 (58 Stat. 497; 43 U. S. C. 279-284), as amended.

4. All valid applications filed prior to October 8, 1955, will be granted, as soon as possible, the preference right provided for by 43 CFR 257.5 (a).

A. L. SIMPSON,  
Acting State Supervisor for Nevada.

SEPTEMBER 10, 1957.

[F. R. Doc. 57-7631; Filed, Sept. 17, 1957;  
8:46 a. m.]

Office of Territories

[Alaska Public Works Memorandum 9]

DIRECTOR, ALASKA PUBLIC WORKS

DELEGATION OF AUTHORITY TO NEGOTIATE  
CONTRACTS WITH ARCHITECTURAL AND  
ENGINEERING FIRMS

SECTION 1. Pursuant to the authority delegated by the Secretary of the Interior in Departmental Order No. 2816, dated August 31, 1956 (21 F. R. 6794), the Director, Alaska Public Works, Division of Alaskan Affairs, Office of Territories, is hereby authorized for a period extending to September 1, 1958 and beyond for such further period as may be covered by delegations of authority to the Secretary of the Interior by the Administrator of General Services, to negotiate, without advertising, under subdivision 302 (c) (4) of the Federal Property and Administrative Services Act of 1949, as amended (66 Stat. 594, 41 U. S. C., sec. 252 et seq.) contracts for the services of architectural and engineering firms in connection with the administration of the Alaska Public Works Act (63 Stat. 627, 48 U. S. C., sec. 486 et seq.) as amended (68 Stat. sec. 483).

SEC. 2. The authority granted in section 1 of this memorandum shall be exercised in accordance with the applicable limitations and requirements of the Federal Property and Administrative Services Act, particularly sections 304 and 307 thereof, and in accordance with policies, procedures and controls prescribed by the General Services Administration.

SEC. 3. The Director, Alaska Public Works, Division of Alaskan Affairs, Office of Territories, shall not redelegate or authorize redelegation of the authority granted in Section 1 of this memorandum.

SEC. 4. This memorandum shall be effective immediately upon publication in the FEDERAL REGISTER and shall supersede and cancel Alaska Public Works Memorandum No. 8 dated September 20, 1956.

SEC. 5. This memorandum supplements subsection 5 (f) of Alaska Public Works Memorandum No. 1.

ANTHONY T. LAUSI,  
Director.

[F. R. Doc. 57-7632; Filed, Sept. 17, 1957;  
8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-13258]

SOUTHERN NATURAL GAS CO.

ORDER PROVIDING FOR HEARING AND SUSPENDING PROPOSED REVISED TARIFF

SEPTEMBER 12, 1957.

Southern Natural Gas Company (Southern), on August 14, 1957, tendered for filing its FPC Gas Tariff, Fourth Revised Volume No. 1, superseding Third Revised Volume No. 1, proposed to become effective September 14, 1957. Southern's Volume No. 1 is applicable to sales for resale from its pipeline system.

The tendered filing proposes a general increase in rates of \$18,174,648, or 33.5 percent, based upon adjusted sales for the year ended April 30, 1957.

The revised tariff, in addition to increasing charges for all services thereunder, among other changes, eliminates the FR (Optional) Rate Schedules, increases the limitation on maximum deliveries under the G (Optional) Rate Schedules from 1,000 Mcf to 5,000 Mcf per day, establishes new AO Rate Schedules for authorized overrun service, adds a penalty for unauthorized sales in excess of the maximum delivery obligation under the G Rate Schedules, and revises the penalty under the CD Rate Schedules, increases the minimum monthly billing demand under the CD Rate Schedules from 90 percent to 95 percent of contract demand, and revises the Form of Service Agreement to restate Southern's right to make tariff changes.

In support of its proposed increases in rates, Southern's statements of cost of service adjustments include, among others, increased purchased gas costs to reflect increased prices and shifts in source of supply to higher priced gas, increased wages and salaries, costs associated with the installation and operation of new facilities to be placed in service prior to December 31, 1957, and increased taxes. The company claims an increase in rate of return on invested capital from 6 percent to 6.8 percent per year and associated Federal income taxes computed without deduction for all tax benefits available.

Upon analysis of Southern's filing and supporting statements, it appears that of the proposed \$18,174,648 overall increase, \$12,067,110, or approximately 66 per cent, is attributed to increased cost of purchased gas. These costs, however, are based in part upon prices which have not been filed with the Commission and upon rates which, although filed, are or will be subject to possible refund. Such costs also reflect the aforesaid shifts in sources of supply. There is no showing in the statements that the anticipated shift in sources of supply to higher priced gas is a reasonable guide for the future. Although Southern states the present 6 per cent rate of return is "wholly inadequate to permit the Company to raise the capital needed in its business in the financial markets of today," it does not show that it is experiencing any financial hardships in obtaining capital funds. Southern's proposed test year adjusted to January 1, 1958, may not be a representative period for establishing rates for the future in view of the Company's statement that it "expects its next major expansion program to be extensive in terms of capacity and cost." It has increased its plant investment by about \$10,000,000 for new supply facilities which will be in service before 1958, but it has made no corresponding adjustment to sales volumes and revenues. Southern contends that such new facilities will not increase system daily capacity and are non-revenue producing. Such contentions can be evaluated only after a full investigation and hearing.

Protests and requests for suspension of the proposed rate increase were received from the Georgia Public Service Commission and numerous customer companies and municipalities, and the Georgia Municipal Association. These parties object to the increase in rates and raise numerous issues which they state should be the subject of hearings.

The increased rates and charges and the amended rate schedules and revised sheets provided in said revised tariff, as tendered for filing on August 14, 1957, have not been shown to be justified, and 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 rates, charges, classifications, and services contained in Southern's FPC Gas Tariff, Fourth Revised Volume No. 1, tendered for filing on August 14, 1957; and that said revised tariff volume 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 regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications and services contained in Southern's FPC Gas Tariff, Fourth Revised Volume No. 1, as tendered for filing on August 14, 1957.

(B) Pending such hearing and decision thereon, Southern's proposed FPC Gas Tariff, Fourth Revised Volume No. 1 is hereby suspended and the use thereof deferred until February 14, 1958, and until such further time as it may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL,  
Acting Secretary.

[F. R. Doc. 57-7633; Filed, Sept. 17, 1957;  
8:46 a. m.]

**SECURITIES AND EXCHANGE  
COMMISSION**

[File No. 1-2115]

BELLANCA CORP.

ORDER SUMMARILY SUSPENDING TRADING  
SEPTEMBER 11, 1957.

In the matter of trading on the American Stock Exchange in the \$1.00 par value Capital Stock of Bellanca Corporation; File No. 1-2115.

I. The \$1.00 par value Capital Stock of Bellanca Corporation is listed and registered on the American Stock Ex-

change, a national securities exchange; and

II. The Commission on April 24, 1957, issued its order and notice of hearing under section 19 (a) (2) of the Securities Exchange Act of 1934 (hereinafter called "the act") to determine at a hearing beginning July 10, 1957, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the capital stock of Bellanca Corporation (hereinafter called "registrant") on the American Stock Exchange for failure to comply with section 13 of the act and the rules and regulations adopted thereunder, and for failure to comply with the disclosure requirements of Regulation X-14 adopted pursuant to section 14 (a) of the act.

On August 30, 1957, the Commission issued its order summarily suspending trading of said securities on the exchange pursuant to section 19 (a) (4) of the act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices for a period of ten days through September 11, 1957.

III. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the American Stock Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange,

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of ten (10) days, September 12 to 21, 1957, inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 57-7635; Filed, Sept. 17, 1957;  
8:46 a. m.]

[File No. 70-3609]

MISSISSIPPI POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE

SEPTEMBER 10, 1957.

Mississippi Power & Light Company ("Mississippi"), a public-utility subsidiary of Middle South Utilities, Inc., a registered holding company, filed with this Commission a declaration, pursuant to section 6 (a) and 7 of the Public Util-

ity Holding Company Act of 1935 ("act"), regarding the following proposed transactions:

Mississippi has outstanding 2,600,000 shares of no par common stock having a stated value of \$10 per share, or an aggregate of \$26,000,000. Mississippi proposes to transfer \$5,200,000 from its earned surplus account to capital stock account; thus increasing the stated value of its outstanding no par common stock from \$26,000,000 to \$31,200,000.

No State or Federal commission or agency, other than this Commission, has jurisdiction over the proposed transactions.

No fees, commissions or expenses, other than miscellaneous incidental expenses, are to be incurred by Mississippi in connection with the proposed transactions.

Due notice of the filing of the declaration (Holding Company Act Release No. 13534) having been given in the manner prescribed by Rule-23 of the rules and regulations promulgated under the act, and no hearing having been requested of or ordered by the Commission; and

The Commission observing no basis for adverse findings or the imposition of terms and conditions, and finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration to become effective, forthwith:

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of the act, that the declaration be, and it hereby is, permitted to become effective, forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 57-7636; Filed, Sept. 17, 1957;  
8:46 a. m.]

## SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 165]

INDIANA

DECLARATION OF DISASTER AREA

Whereas, it has been reported that during the month of June, 1957, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Indiana;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as

amended, may be received and considered by the Offices below indicated from persons or firms whose property situated in the following County (including any areas adjacent to said County) suffered damage or other destruction as a result of the catastrophe hereinafter referred to:

County: Jay (floods beginning on or about June 30).

Offices: Small Business Administration Regional Office, 226 West Jackson Boulevard, Room 1402, Chicago 6, Ill. Small Business Administration Branch Office, Federal Building, Room 505, Indianapolis, Ind.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to March 31, 1958.

Dated: September 4, 1957.

WENDELL B. BARNES,  
Administrator.

[F. R. Doc. 57-7637; Filed, Sept. 17, 1957;  
8:46 a. m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 9]

MOTOR CARRIER ALTERNATE ROUTE  
DEVIATION NOTICES

SEPTEMBER 13, 1957.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with no service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 [49 CFR 211.1 (c) (8)] and notice thereof to all interested persons is hereby given as provided in such rules [49 CFR 211.1 (d) (4)].

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules [49 CFR 211.1 (e)] at any time but will not operate to stay commencement of the proposed operation unless filed within 30 days from the date of publication.

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

### MOTOR CARRIERS OF PROPERTY

No. MC-200 (Deviation No. 1), RISS & COMPANY, INC., 15 West Tenth Street, Kansas City, Mo., filed September 3, 1957. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Avondale, Colo., and Pueblo, Colo., as follows: from Avondale over Colorado Highway 18 to junction Colorado Highway 96, thence over Colorado Highway 96 to Pueblo and return over the same route, for operating convenience only, serving no intermediate points. The no-

tice indicates that the carrier is presently authorized to transport the same commodities between Avondale, Colo., and Pueblo, Colo., over U. S. Highway 50.

No. MC-200 (Deviation No. 2), RISS & COMPANY, INC., 15 West Tenth Street, Kansas City, Mo., filed September 3, 1957. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Joplin, Mo., and Oklahoma City, Okla., as follows: from Joplin over the Will Rogers Turnpike to Tulsa, Okla., thence over the Turner Turnpike to Oklahoma City and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Joplin, Mo., and Oklahoma City, Okla., over U. S. Highway 66.

No. MC-200 (Deviation No. 3), RISS & COMPANY, INC., 15 West Tenth Street, Kansas City, Mo., filed September 3, 1957. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the New York-Massachusetts State line and Boston, Mass., as follows: from the New York-Massachusetts State line over the Massachusetts Turnpike to Boston, with access to the Turnpike over Massachusetts Highway 41 from U. S. Highway 20, near Pittsfield, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between the New York-Massachusetts State line and Boston, Mass., over the following pertinent routes: from the New York-Massachusetts State line over U. S. Highway 20 to Boston; from the New York-Massachusetts State line over U. S. Highway 20 to junction Massachusetts Highway 9, thence over Massachusetts Highway 9 to Boston; and return over the same routes.

No. MC-1422 (Deviation No. 1), VOSS TRUCK LINES, INC., 900 West Washington, P. O. Box 917, Oklahoma City 1, Okla., filed September 3, 1957. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Joplin, Mo., and Tulsa, Okla., as follows: from Joplin over the Will Rogers Turnpike to Tulsa and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Joplin, Mo., and Tulsa, Okla., over U. S. Highway 66.

No. MC-60580 (Deviation No. 1), HIGHWAY EXPRESS LINES, INC., 236 North 23d Street, Philadelphia 3, Pa., filed September 11, 1957. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over two deviation routes, (A) between Pittsburgh, Pa., and New York, N. Y., as follows: from Pittsburgh over U. S. Highway 22 to the Pittsburgh Interchange of the Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to its junction with



the New Jersey Turnpike, thence over the New Jersey Turnpike to its Interchange No. 15 (near Newark, N. J.); and (B) between Philadelphia, Pa., and New York, N. Y., as follows: from Philadelphia over the Walt Whitman Bridge, via Camden City Streets and New Jersey Highway 43 to junction with the New Jersey Turnpike at Interchange No. 3, thence over the New Jersey Turnpike to its Interchange No. 15 (near Newark, N. J.); and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: from State Road, Del., over U. S. Highway 13 to Philadelphia, Pa., thence over U. S. Highway 1 to New York, N. Y.; from New York, N. Y., over U. S. Highway 1 to junction U. S. Highway 130, thence over U. S. Highway 130 to junction U. S. Highway 40, thence over U. S. Highway 40 to State Road, Del.; from Philadelphia, Pa., over U. S. Highway 30 to Chambersburg, Pa.; from Philadelphia, Pa., over U. S. Highway 422 via Reading, Pa., to junction U. S. Highway 322, thence over U. S. Highway 322 to Harrisburg, Pa., (also from Reading over U. S. Highway 222 to Lancaster, Pa. (thence over U. S. Highway 130 to Harrisburg); from Harrisburg, Pa., over U. S. Highway 22 via Duncansville, Cresson, and Armagh, Pa., to Pittsburgh, Pa.; and return over the same routes.

No. MC-108671 (Deviation No. 1), **TARBET TRUCKING INC.**, 311 East 18th Street, Muncie, Ind., filed September 3, 1957. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Muncie, Ind., and Toledo, Ohio, as follows: from Muncie over Indiana Highway 3 to Fort Wayne, thence over U. S. Highway 24 to Toledo and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Muncie, Ind., and Toledo, Ohio over the following route: from Muncie over Indiana Highway 67 to the Indiana-Ohio State line, thence over Ohio Highway 29 to St. Marys, Ohio, thence over U. S. Highway 33 to Wapakoneta, Ohio, thence over U. S. Highway 25 to Toledo.

No. MC-108671 (Deviation No. 2), **TARBET TRUCKING, INC.**, 311 East 18th Street, Muncie, Ind., filed September 3, 1957. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Muncie, Ind., and Detroit, Mich., as follows: from Muncie over Indiana Highway 3 to Fort Wayne, thence over U. S. Highway 27 to junction U. S. Highway 112 near Coldwater, Mich., thence over U. S. Highway 112 to Detroit and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Muncie, Ind., and Detroit, Mich., over the following route: from Muncie over

Indiana Highway 67 to the Indiana-Ohio State line, thence over Ohio Highway 29 to St. Marys, Ohio, thence over U. S. Highway 33 to Wapakoneta, Ohio, thence over U. S. Highway 25 to Detroit.

By the Commission.

[SEAL] **HAROLD D. MCCOY,**  
Secretary.

[F. R. Doc. 57-7641; Filed, Sept. 17, 1957; 8:46 a. m.]

[Notice 182]

MOTOR CARRIER APPLICATIONS

SEPTEMBER 12, 1957.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.241).

All hearings will be called at 9:30 o'clock a. m., United States standard time (or 9:30 o'clock a. m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 5623 (Sub No. 6), filed September 3, 1957, **ARROW TRUCKING CO.**, 2d and Heavy Traffic Way, Tulsa, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Bldg., Oklahoma City 2, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Pipe, pipe line material, machinery and equipment*, incidental to and used in the construction, repairing, or dismantling of pipe lines, except the stringing, or picking up of pipe in connection with main or trunk petroleum and natural gas pipe lines, between points in Oklahoma, Kansas and Texas. Applicant is authorized to conduct operations in Oklahoma, Kansas, and Texas.

**HEARING:** October 15, 1957, at the Mayo Hotel, Tulsa, Okla., before Examiner James C. Cheseldine.

No. MC 26739 (Sub No. 22), (**CORRECTION**), filed July 3, 1957, **CROUCH BROS., INC.**, Transport Building, St. Joseph, Mo., published issue September 5, 1957, at page 7114. Applicant's attorney: Charles W. Singer, 1825 Jefferson Place, NW., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and those injurious or contaminating to other lading, between Kansas City, Mo., and Chicago, Ill. Applicant is authorized to conduct similar operations over regular routes in Iowa, Kansas, and Missouri, and over irregular routes in Illinois, Indiana, Iowa, Missouri, and Nebraska. Applicant holds Permits No. MC 106942 and (Sub No. 33) as a contract carrier.

Dual operations under section 210 may be involved.

**NOTE:** Applicant states the following: Applicant now holds authorities, among others, to handle general freight between points on its regular routes, including Kansas City on the one hand, and, on the other, points in Illinois and the Indiana portion of the Chicago commercial zone, by operating through the gateway of Maryville, Mo., or points within ten miles thereof. The purpose of the instant application is to eliminate the necessity of operating through that gateway on movements between Kansas City and Chicago and certain other points on its regular route. Since the gateway will be used in connection with other operations, it is proposed to retain the irregular route authority which applicant now holds between Maryville and points within ten miles thereof on the one hand, and, on the other, the States of Illinois, Iowa, Kansas, and Nebraska.

**HEARING:** Remains as assigned October 24, 1957, at the Hotel Pickwick, Kansas City, Mo., before Examiner Herbert L. Hanback.

No. MC 29490 (Sub No. 8), filed August 19, 1957, **WILLIAM S. CLARK**, 506 North Street, Mifflintown, Pa. Applicant's attorney: Andrew Wilson Green, 222 North Third Street, Harrisburg, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Firebrick*, from Van Dyke (near Thompsonstown, Juniata County), Pa., to points in Delaware, points in that part of New Jersey south of U. S. Highway 1, and points in Long Island, N. Y.; and *empty pallets and skids* from the above-specified destination points to Van Dyke, Pa. Applicant is authorized to transport fire brick in Ohio, New York and Pennsylvania; and other commodities in Connecticut, Delaware, Florida, Georgia, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

**HEARING:** October 24, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Harold W. Angle.

No. MC 29566 (Sub No. 50), filed August 8, 1957, **SOUTHWEST FREIGHT LINES, INC.**, 1400 Kansas Ave., Kansas City, Kans. Applicant's representative: Vernon M. Masters, 1400 Kansas Avenue, Kansas City, Kans. For authority to operate as a *common carrier*, over irregular routes, transporting: *Ammonium nitrate fertilizer, fertilizer compounds* (manufactured), N. O. I. dry, in bags, from the site of Spencer Chemical Company Plant, Military, Kans., to points in Illinois, Iowa, Indiana, Kentucky and Missouri. Applicant is authorized to conduct similar operations in Arkansas, Illinois, Indiana, Iowa, Kansas, Missouri, Oklahoma, and Texas.

**HEARING:** October 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Frank R. Saltzman.

No. MC 29566 (Sub No. 51), filed August 8, 1957, **SOUTHWEST FREIGHT LINES, INC.**, 1400 Kansas Avenue, Kansas City, Kans. Applicant's representative: Vernon M. Masters, 1400 Kansas Avenue, Kansas City, Kans. For authority to operate as a *common carrier*, over irregular routes, transporting: *Ammonium nitrate fertilizer, fertilizer compounds*

(manufactured), N. O. I., dry, in bulk or in mixed shipments of bulk and bags, with bags not to exceed five percent of the total weight of the shipment, from the site of Spencer Chemical Company Plant, Military, Kans., to points in Illinois, Iowa, Indiana, Kentucky, and Missouri. Applicant is authorized to conduct similar operations in Arkansas, Illinois, Indiana, Iowa, Kansas, Missouri, Oklahoma, and Texas.

**HEARING:** October 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Frank R. Saltzman.

No. MC 31600 (Sub No. 429), filed September 6, 1957, P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid chocolate and liquid chocolate products*, in bulk, in tank vehicles, (1) from New York, N. Y., Newark, N. J., Milwaukee, Wis., and Mansfield, Mass., to Hershey, Pa.; (2) from Jersey City, N. J. to points in Pennsylvania, Maryland, Virginia, North Carolina, Ohio, New York and Illinois. Applicant is authorized to conduct operations in Massachusetts, Rhode Island, New York, Connecticut, New Hampshire, New Jersey, Pennsylvania, Vermont, Maine, Delaware, Illinois, Kentucky, South Carolina, North Carolina, Maryland, Virginia, West Virginia, Ohio, Indiana, and Michigan.

**HEARING:** October 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Allen W. Hagerty.

No. MC 31600 (Sub No. 428), filed September 6, 1957, P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Styrene*, in bulk, in tank vehicles, from Ledyard, Conn., to Baltimore, Md., (2) *Synthetic Resin*, in bulk, in tank vehicles, from Ballardvale, Mass., to Newark, Ohio and Odenton, Md., (3) *Synthetic Resin*, in bulk, in tank vehicles, from Springfield, Mass., to High Point, N. C. Applicant is authorized to conduct operations in Massachusetts, Rhode Island, New York, Connecticut, New Hampshire, New Jersey, Pennsylvania, Vermont, Maine, Delaware, Illinois, Kentucky, South Carolina, North Carolina, Maryland, Virginia, West Virginia, Ohio, Indiana, and Wisconsin.

**HEARING:** October 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Allen W. Hagerty.

No. MC 52460 (Sub No. 41), filed May 17, 1957, HUGH BREEDING, INC., 1420 West 35th Street, P. O. Box 9515, Tulsa, Okla. Applicant's attorney: James W. Wrape, Sterick Bldg., Memphis 3, Tenn. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lubricating oil*, in bulk, in tank vehicles, from Kansas City, Kans., to Little Rock, Ark. Applicant is authorized to transport similar commodities in Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

**HEARING:** October 24, 1957, at the Hotel Pickwick, Kansas City, Mo., before

Joint Board No. 154, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 59531 (Sub No. 75), filed May 31, 1957, published September 5, 1957, issue, on page 7116, AUTO CONVOY CO., 3020 S. Haskell Ave., Dallas, Tex. Applicant's attorney: Reagan Sayers, Century Life Bldg., Fort Worth 2, Tex. For authority to operate as a *common carrier*, over irregular routes, transporting: *Assembled helicopters (with or without blade removed), assembled rotary and fixed wing aircraft (with or without wing removed), and parts, when shipped with the aircraft as a portion of the total shipment of such aircraft*, between points in Wichita, Anderson, Bosque, Clay, Collin, Cooke, Dallas, Delta, Denton, Ellis, Erath, Fannin, Freestone, Grayson, Henderson, Hill, Hood, Hopkins, Jack, Johnson, Kaufman, Lamar, Limestone, McLennan, Montague, Navarro, Palo Pinto, Parker, Rains, Smith, Somervell, Tarrant, Van Zandt, Wise, and Wood Counties, Tex., and Bryan, Carter Johnston, Love, and Marshall Counties, Okla., and points in the United States; *damaged shipments of the above-named commodities on return.*

**HEARING:** October 3, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner R. Edwin Brady. This was previously scheduled for a pre-hearing Conference on October 3d at Washington.

No. MC 70267 (Sub No. 9), filed August 13, 1957, ELI E. WAGNER, JR., 724 East Boundary Avenue, York, Pa. Applicant's attorney: Norman T. Petow, 43 N. Duke St., York, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Roofing and building paper, prepared roofing, roofing cement, roofing felt, asphalt paint, asphalt, and materials used in the installation of such commodities*, (1) from York, West York Borough, and points in Spring Garden Township, York County, Pa., to points in New York on and north and west of a line beginning at the New York-Pennsylvania State line at Waverly, N. Y., and extending along U. S. Highway 17 to Binghamton, N. Y., thence along U. S. Highway 7 to junction U. S. Highway 20, thence along U. S. Highway 20 to Albany, N. Y., thence along U. S. Highway 20 to the Massachusetts State Line; (2) from York, West York Borough, and points in Spring Garden Township, York County, Pa., to points in that part of West Virginia on and south of a line extending from Parkersburg eastwardly along West Virginia Highway 47 to junction U. S. Highway 33 (excluding Charleston and Keyser, W. Va.), thence over U. S. Highway 33 to junction West Virginia Highway 5, thence over West Virginia Highway 5 to junction U. S. Highway 19, thence over U. S. Highway 19 to junction West Virginia Highway 4, thence over West Virginia Highway 4 to junction U. S. Highway 33, thence over U. S. Highway 33 to junction U. S. Highway 250, and thence over U. S. Highway 250 to the West Virginia-Virginia State line and to points in that part of Virginia on and south of U. S. Highway 250 and on and south and west of U. S. Highway 11 to junction U. S. Highway 52, thence

on and south and west of U. S. Highway 52 to the North Carolina State Line; (3) from York, West York Borough, and points in Spring Garden Township, York County, Pa., to points in that part of North Carolina on and west and south of a line beginning at the North Carolina-Virginia State line and extending along U. S. Highway 52 to Mount Airy, N. C., thence along U. S. Highway 601 to Salisbury, N. C., thence along U. S. Highway 52 to Wade, N. C., thence along U. S. Highway 74 to Lumberton, N. C., thence along North Carolina Highway 211 to Bolton, N. C., and thence along U. S. Highway 76 to Wrightsville Beach, N. C., and *empty containers or other such incidental facilities (not specified)* used in transporting the commodities specified on return over the above routes. Applicant is authorized to conduct operations in Pennsylvania, West Virginia, New Jersey, Maryland, Virginia, District of Columbia, North Carolina, New York, Pennsylvania, Delaware, Connecticut, Massachusetts, and Rhode Island.

**HEARING:** October 21, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Harold W. Angle.

No. MC 95212 (Sub. No. 27), filed August 15, 1957, HELEN R. HENDERSON, doing business as H. R. HENDERSON, Box 237, Seneca, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington St., Chicago 2, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Antifreeze compounds and petroleum products*, in barrels, cans and containers and *such materials and supplies* as are used or useful to persons engaged in the manufacture of petroleum products and antifreeze compounds, and *empty containers or other such incidental facilities (not specified)* used in transporting the commodities specified between the plant sites of the Prairie State Oil & Grease Company located approximately three miles east of Seneca, Ill., and four miles southwest of Danville, Ill., on the one hand, and, on the other, points in Ohio, Michigan, Wisconsin, Indiana, Illinois, Iowa, Georgia, Nebraska, Connecticut, Kansas, Oklahoma, Minnesota, North Dakota, South Dakota, North Carolina, Arkansas, Rhode Island, Mississippi, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, Tennessee, New York, Alabama, Louisiana, Texas, Colorado, West Virginia, Kentucky, Massachusetts, Florida, Missouri and Los Angeles, Calif. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Michigan, Wisconsin, Kentucky, Ohio, Missouri, Minnesota, and South Dakota.

**HEARING:** October 22, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Lucian A. Jackson.

No. MC 99899 (Sub No. 1), filed June 26, 1957, A. S. FITZ-GERALD, doing business as FITZ-GERALD BROS., P. O. Box 378, Santa Maria, Calif. Applicant's attorney: Wyman C. Knapp, 727 West Seventh Street, Los Angeles 17, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Urea and manufactured fertilizer*, (1) from points in Ventura County,

Calif., to San Francisco and Oakland, Calif., and points in the Los Angeles Harbor Commercial Zone; and (2) between points in Ventura County, Calif.

**HEARING:** October 14, 1957, in Room 226, Old Mint Bldg., Fifth and Mission Streets, San Francisco, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 102616 (Sub No. 641), filed August 13, 1957, COASTAL TANK LINES, INC., Grantley Road, York, Pa. Applicant's attorney: Harold G. Hernly, 1624 Eye St., NW., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum coke (non-liquid)*, in bulk, in hopper-type vehicles, from the site of the Tidewater Oil Company Refinery at or near Delaware City, Del., to points in Maryland, New York, New Jersey, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

**HEARING:** October 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Harold W. Angle.

No. MC 103993 (Sub No. 96), filed September 9, 1957, MORGAN DRIVE-AWAY, INC., 509 Equity Bldg., Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Iowa (except Des Moines), to points in the United States (except Mt. Clemens, Detroit and Flint, Mich.) Applicant is authorized to transport the commodity specified throughout the United States.

**HEARING:** October 23, 1957, at the Federal Office Bldg., 5th and Court Avenues, Des Moines, Iowa, before Examiner Gerald F. Colfer.

No. MC 10717 (Sub No. 90) (CORRECTION), filed June 18, 1957, published September 11, 1957, issue page 7256, ALTERMAN TRANSPORT LINES, INC., 2424 NW. 46th Street, Miami, Fla. Mailing address: P. O. Box 65, Allapattah Station, Miami, Fla. Applicant's attorney: Frank B. Hand, Jr., Transportation Bldg., Washington, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Fish; fruits; nuts; bakery goods, materials and supplies; pickled vegetables; candy; confectionary; salad dressing; frozen foods; salads; juices; beverage preparations; dairy products, and condiments*, from Chicago, Ill., to Tampa and Jacksonville, Fla., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities on return. Applicant is authorized to conduct operations in Florida, New York, Pennsylvania, New Jersey, Delaware, Virginia, North Carolina; South Carolina, Georgia, Illinois, Indiana, Missouri, Maryland, Michigan, Ohio, Louisiana, Texas, District of Columbia, Tennessee, Nebraska, Wisconsin, Iowa, Kansas, South Dakota, Alabama, Kentucky, Minnesota, Oklahoma, Vermont, Maine, Massachusetts, Mississippi, and West Virginia.

**HEARING:** Remains as assigned October 16, 1957, in Room 852, U. S. Custom House, 610 South Canal St., Chicago, Ill., before Examiner Walter R. Lee.

No. MC 107496 (Sub No. 92) (CORRECTION), filed April 1, 1957, RJAN TRANSPORT CORPORATION, 408 SE. 30th St., Des Moines, Iowa, published issue of September 11, 1957, on page 7256. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Liquid and dry chemicals, liquid fertilizers, and fertilizer ammoniating solutions*, including, but not limited to anhydrous ammonia, aqua ammonia, nitrogen solutions, and mineral solutions, in bulk, from points in the Chicago, Ill., Commercial Zone, as defined by the Commission, Lemont, Ill., and points within five miles thereof, and points in Will County, Ill., to points in Illinois, Iowa, Minnesota, Michigan, Missouri, Wisconsin, Indiana, Kansas, Kentucky, Nebraska, North Dakota, Ohio and South Dakota. (2) *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in the Chicago, Ill., Commercial Zone, as defined by the Commission, to points in Illinois on and north of U. S. Highway 50, points in Iowa on and east of U. S. Highway 69, points in Indiana on and north of a line beginning at Vincennes, and extending along Indiana Highway 67 to junction Indiana Highway 54, thence along Indiana Highway 45, thence along Indiana Highway 45 to Bloomington, and thence along Indiana Highway 46 to the Indiana-Ohio State line, points in Michigan on and south of a line beginning at Lake Michigan and extending along an unnumbered highway via North Muskegon to junction U. S. Highway 31, thence along U. S. Highway 31 to Muskegon, thence along Michigan Highway 46 to St. Louis, Mich., and on and west of a line beginning at St. Louis and extending along U. S. Highway 27 to Lansing, Mich., thence along U. S. Highway 127 to junction U. S. Highway 223, thence along U. S. Highway 223 to the Michigan-Ohio State line, and those in Wisconsin on and east of a line beginning at the Wisconsin-Illinois State line and extending along Wisconsin Highway 69 to junction U. S. Highway 151, thence along U. S. Highway 151 through Madison to Fond du Lac, and on and south of Wisconsin Highway 23. (3) *Wax, petroleum, white oils, road oils and asphalt*, in bulk, in tank vehicles, from points in the Chicago, Ill., Commercial Zone, as defined by the Commission, to points in Illinois, Iowa, Minnesota, Michigan, Missouri, Wisconsin, Indiana, Kansas, Kentucky, Nebraska, North Dakota, Ohio, and South Dakota. **RESTRICTION:** No authority is being sought to render service between any two points located in any one single State or in the same State. Applicant is authorized to transport similar commodities in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

**NOTE:** Applicant states all duplicating authority will be eliminated.

**HEARING:** October 14, 1957, at the Federal Office Bldg., 5th & Court Avenues, Des Moines, Iowa, before Examiner Gerald F. Colfer. Previous publication gave October 4, 1957, as hearing date, this was in error. The correct date is October 14, 1957.

No. MC 110698 (Sub No. 87), filed August 28, 1957, MILLER MOTOR LINE OF NORTH CAROLINA, INCORPORATED, J. Archie Cannon, Successor Trustee, P. O. Box 457, Winston Road, Greensboro, N. C. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank-vehicles, from points in Chesterfield and Prince George Counties, Va., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. Applicant is authorized to conduct operations in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia.

**HEARING:** October 8, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Charles H. Riegner.

No. MC 111320 (Sub No. 33), filed August 21, 1957, CURTIS KEAL TRANSPORT COMPANY, INC., East 54th St. and Cleveland Shoreway, Cleveland, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Avenue, Cleveland 14, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: *Road building, earthmoving, and construction equipment, and parts thereof*, excluding commercial trucks, in truckaway and driveway service, between New Philadelphia, Ohio, on the one hand, and points in Alabama, Arkansas, Connecticut, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia on the other. Applicant is authorized to conduct operations throughout the United States.

**HEARING:** October 22, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Harold W. Angle.

No. MC 111962 (Sub No. 6), filed September 4, 1957, AMERICAN TRANSFER & STORAGE COMPANY, a corporation, 1040 North Lewis, Tulsa, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Bldg., Oklahoma City 2, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Pipe, pipe line material, machinery*

and equipment, incidental to and used in the construction, repairing, or dismantling of pipe lines, except the stringing, or picking up of pipe in connection with main or trunk petroleum and natural gas pipe lines, between points in Oklahoma, Kansas, Texas, Colorado, and Arkansas. Applicant is authorized to conduct operations in Arkansas, Colorado, Kansas, Missouri, Oklahoma, and Texas.

**HEARING:** October 15, 1957, at the Mayo Hotel, Tulsa, Okla., before Examiner James C. Cheseldine.

No. MC 116763, filed June 27, 1957, CARL SUBLER TRUCKING, INC., Magnolia Avenue, Auburndale, Fla. Applicant's attorney: Robert R. Hendon, Investment Bldg., Washington 5, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Malt beverages*, in cans, bottles, kegs, and other containers, and (2) *Malt beverages*, in bulk, in refrigerated tank vehicles, from Milwaukee, Wis., Chicago, Belleville, and Peoria, Ill., Terre Haute, Ind., St. Louis, Mo., Atlanta, Ga., New York, N. Y., Newark, N. J. and Cleveland, Ohio to points in Georgia and Florida; (3) *Packaged sugar*, in bags, boxes, and other containers, and (4) *Granulated and liquid sugar*, in bulk, in tank vehicles, from Savannah and Port Wentworth, Ga., to points in Florida, and *empty containers or other such incidental facilities* (not specified) used in transporting the above commodities on return. Applicant is authorized to conduct operations as a contract carrier in the States of Ohio, Florida, Michigan, Illinois, Wisconsin, Minnesota, Indiana, and Georgia. Section 210 may be involved.

**HEARING:** October 21, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Frank R. Saltzman.

No. MC 116878, filed August 16, 1957, JAMES L. CAMPSEY, George Washington Hotel, Washington, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Dicyandiamid*, dry, in bulk, in special-type semi-trailers, from Buffalo and Niagara Falls, N. Y., and points on the United States-Canada International boundary adjacent thereto, to Willow Island, Pleasant County, W. Va.; *Melamine*, dry, in bulk, in special-type semi-trailers, from Willow Island, Pleasant County, W. Va., to Wallingford, Conn.; *Empty equipment*, from Wallingford, Conn., to Buffalo and Niagara Falls, N. Y., and points on the United States-Canada International boundary adjacent thereto.

**NOTE:** Applicant states: Applicant is at present Vice-President and General Manager of Pittsburgh-Wheeling Express, Inc., a common carrier, and a stockholder in the same company. Common control may be involved.

**HEARING:** October 23, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Lucian A. Jackson.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 102129 (Sub No. 2), filed July 29, 1957, ARTHUR QUEEN, Ferndale, Md. Applicant's attorney: Marvin Ellin, 725 Munsey Bldg., Baltimore 2, Md. For authority to operate as a *common*

*carrier*, over irregular routes, transporting: *Passengers and their baggage*, in round-trip charter operations beginning and ending at points in Baltimore, Md., south of North Avenue, east of Hilton Street, and west of Gay Street, and those in Anne Arundel, Prince Georges, and Howard Counties, Md., and extending to points in Pennsylvania, except Gettysburg, New York, Ohio, New Jersey, North Carolina, West Virginia, and Virginia. Applicant is authorized to conduct charter operations from other specified Maryland points to points in the above-named states.

**HEARING:** October 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Lucian A. Jackson.

No. MC 109199 (Sub No. 2), filed August 6, 1957, CLYDE B. DIDLAKE, doing business as CLYDE'S CHARTER BUS SERVICE, Route 2, Box 50, Glen Burnie, Md. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Bldg., Washington, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in round-trip charter operations beginning and ending at Glen Burnie, Md., and points within 15 miles of Glen Burnie, exclusive of Baltimore, Md., and extending to points in Virginia, Delaware, Pennsylvania, New Jersey, New York, West Virginia, and the District of Columbia. **NOTE:** Applicant is authorized in MC 109199 to conduct the identical operations set forth above beginning and ending at Glen Burnie, Md. and points within 10 miles thereof. Applicant seeks herein only a five-mile extension of the origin territory surrounding Glen Burnie, and no duplicating authority is sought. Applicant is also authorized to conduct similar operations from Baltimore, Md., to points in Maryland, the District of Columbia, Virginia, Pennsylvania, and Delaware, and return.

**HEARING:** October 23, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Harold W. Angle.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

##### MOTOR CARRIERS OF PROPERTY

No. MC 20207 (Sub No. 30), filed August 30, 1957, CONTINENTAL TRANSPORTATION LINES, INC., Continental Square, McKees Rocks, Pa. Applicant's attorney: Edwin C. Reminger, 1016 Standard Bldg., Cleveland 13, Ohio. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of The Ford Motor Company, Lorain Assembly Plant, located at the intersection of U. S. Highway 6 (Ohio Highway 2), and Baumhardt Road, Brownhelm Township, Lorain County, Ohio, as an off-route point in connection with applicant's authorized regular route operations from and to Cleveland, Ohio. Applicant is authorized to conduct operations in

Maryland, New Jersey, New York, Ohio, and Pennsylvania.

No. MC 20207 (Sub No. 31), filed August 30, 1957, CONTINENTAL TRANSPORTATION LINES, INC., Continental Square, McKees Rocks, Pa. Applicant's attorney: Edwin C. Reminger, Standard Bldg., Cleveland 13, Ohio. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the General Motors Corporation plant, Euclid Division, located on Ohio Highway 91 between Hudson, Ohio and Darrowville, Summit County, Ohio, as an off-route point in connection with applicant's authorized regular route operations from and to Cleveland, Ohio. Applicant is authorized to conduct operations in Maryland, New Jersey, New York, Ohio, and Pennsylvania.

No. MC 25869 (Sub No. 6), filed September 3, 1957, MYRON R. NOLTE AND MAURICE D. NOLTE, doing business as NOLTE BROS., Farnhamville, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Beer and Malt beverages*, (1) from St. Louis, Mo., to Fort Dodge and Carroll, Iowa; (2) from Milwaukee, Wis., to Carroll, Iowa, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above on return. Applicant is authorized to conduct operations in Iowa, Nebraska and Illinois.

No. MC 29566 (Sub No. 52), filed August 28, 1957, SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. **OFFICE:** 1621 West 50th Street, Kansas City, Kans. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place, NW., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Ammonium nitrate fertilizer compounds* (Manufactured), N. O. I., dry, in bulk and/or in mixed shipments of bulk and bulk, in bags, not to exceed five (5) percent of the total weight of the shipment, from Military (near Galena), Kans., to Boonville, Ind.; Carriers Mills Plant, Ill. (approximately ten miles east of Marion, Ill.); and old Magnolia Mine, Ky., and points within three miles thereof. Applicant is authorized to conduct operations in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Oklahoma, South Dakota, and Wyoming.

No. MC 35396 (Sub No. 22), filed September 5, 1957, ARNOLD LIGON, doing business as ARNOLD LIGON TRUCK LINE, U. S. 41 South, Madisonville, Ky. Applicant's attorney: Robert M. Pearce, Seventh Floor, McClure Bldg., Frankfort, Ky. For authority to operate as a *common carrier*, over irregular routes, transporting: *Radioactive materials, Class D, Group III poisons*, in specially constructed Government-owned cargo tank trailers, between the sites of the U. S. Atomic Energy Commission Gaseous Diffusion Plants at or near Kevil, Ky. and Sargents, Ohio. Applicant is authorized to transport commodities other than

those specified herein in Illinois, Indiana, Kentucky, New Jersey, New York, Ohio, Tennessee, and West Virginia.

No. MC 52498 (Sub No. 3), filed September 4, 1957, CLAUDE CECIL RIFE, doing business as RIFE TRUCKING CO., Box 446, Yerington, Nev. Applicant's attorney: Paul D. Laxalt, Sweetland Bldg., Carson City, Nev. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment, serving points within ten (10) miles of junction U. S. Highways 50 and 95, also known as Silver Springs, Nev., as intermediate and off-route points in connection with applicant's authorized regular route operations between Sacramento, Calif., and Yerington, Nev. Applicant is authorized to conduct operations in California and Nevada.

No. MC 52947 (Sub No. 25), filed September 3, 1957, PINSON TRANSFER COMPANY, INC., 119 20th Street, Huntington, W. Va. Applicant's attorney: Robert H. Kinker, Seventh Floor, McClure Building, Frankfort, Ky. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Mt. Sterling, Ky., and Ashland, Ky., from Mt. Sterling over U. S. Highway 60 to Ashland, and return over the same route, serving the intermediate point of Salt Lick, Ky., and all intermediate points between Salt Lick and Ashland, and serving the off-route points of Haldeman, Lawton, Grahn and Hitchens, Ky. (in Carter County), and points within three miles of that part of U. S. Highway 60 between Salt Lick and Ashland; and (2) between junction U. S. Highway 60 and Kentucky Highway 180 (near Cannonsburg in Boyd County) and junction U. S. Highway 23 and Kentucky Highway 180, from junction U. S. Highway 60 and Kentucky Highway 180 over Kentucky Highway 180 to junction U. S. Highway 23, and return over the same route, serving all intermediate points. Applicant is authorized to transport similar commodities in Kentucky, Virginia and West Virginia, and specified commodities in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, Tennessee, Virginia and West Virginia.

No. MC 66562 (Sub No. 1381), filed September 6, 1957, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 E. 42d Street, New York 17, N. Y. Applicant's attorney: Elmer F. Slovacek, Railway Express Agency, Incorporated, 612 S. Clinton Street, Chicago 7, Ill. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, including Class A and B explosives, moving in express service, between Decatur, Ill., and Illiopolis, Ill.: from Decatur over U. S. Highway 36 to Illiopolis, and return over the same route, serving no intermediate points.

**RESTRICTIONS:** The service to be performed by said carrier shall be limited to service which is auxiliary to, or supplemental of, express service. Shipments transported by said carrier shall be limited to those moving on a through bill of lading or express receipt, covering in addition to a motor carrier movement by said carrier, an immediately prior or immediately subsequent movement by rail. Such further specific conditions as the Commission, in the future, may find it necessary to impose in order to restrict said carrier's operations by motor vehicle to service which is auxiliary to, or supplemental of, express service. Applicant is authorized to conduct operations throughout the United States.

No. MC 103191 (Sub No. 5), filed August 30, 1957, THE GEO. A. RHEMAN CO., INC., North Charleston, S. C. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum products*, as defined by the Commission, in bulk, in tank vehicles, from North Charleston, S. C. to points in Florida. Applicant is authorized to conduct operations in Virginia, North Carolina, Georgia, and South Carolina.

No. MC 114772 (Sub No. 3), filed September 4, 1957, DUNBAR ARMORED SERVICE INCORPORATED, 56 Hopkins Street, Hartford, Conn. Applicant's attorney: Reubin Kaminsky, 410 Asylum Street, Hartford 3, Conn. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Bank bills, bonds, negotiable and nonnegotiable securities, notes, drafts, and other valuable papers*, in armored service, between New York, N. Y., on the one hand, and, on the other, Philadelphia, Pa., Baltimore, Md., Washington, D. C., and Wilmington, Del. Applicant is authorized to conduct operations in Connecticut, Massachusetts, New Jersey, New York, and Rhode Island.

No. MC 116905, filed September 4, 1957, LEE THRELKELD, EARL THRELKELD, JAY D. THRELKELD, RICHARD L. THRELKELD AND GERALD THRELKELD, doing business as THRELKELD SUPER SERVICE, 410 South 7th Street, Chariton, Iowa. Applicant's attorney: W. C. Stuart, Chariton, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid petroleum gas*, from Jefferson City, Mo., to points in that part of Iowa bounded on the west by U. S. Highway 69, on the north by U. S. Highway 6, on the East by a line beginning at junction U. S. Highways 6 and 218 and extending along U. S. Highway 218 to junction U. S. Highway 61, thence along U. S. Highway 61 to Keokuk, Iowa, and on the South by the Iowa-Missouri State line, including cities, towns and points located on the specified boundary highways, and excepting the City of Des Moines in Polk County and Chariton in Lucas County. *Empty containers or other such incidental facilities* (not specified) used in transporting liquid petroleum gas from points in the above-described destination territory to Jefferson City, Mo.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub No. 223), filed August 29, 1957, PUBLIC SERVICE COORDINATED TRANSPORT, a Corporation, 180 Boyden Avenue, Maplewood, N. J. Applicant's attorney: Frederick M. Broadfoot, Law Department, Public Service Coordinated Transport (same address as applicant). For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special round-trip operations, during the racing seasons, beginning and ending at Camden, N. J., and extending to Brandywine Race Track at Brandywine, Del., Laurel Race Track at Laurel, Del., and Bowie Race Track at Bowie, Md. Applicant is authorized to conduct operations in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia.

No. MC 3647 (Sub No. 225), filed September 5, 1957, PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N. J. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special round-trip operations, during the racing seasons, beginning and ending at Newark and Jersey City, N. J. and extending to Saratoga Race Track at Saratoga Springs, N. Y. Applicant is authorized to conduct operations in New York, New Jersey, Pennsylvania, Virginia, Maryland, Delaware, and the District of Columbia.

#### APPLICATION FOR BROKERAGE LICENSE

No. MC 12666, filed September 3, 1957, F. W. VAN ZILE POPULAR TOURS, INC., 3 East Avenue, Caledonia, N. Y. Applicant's representative: Raymond A. Richards, 13 Lapham Pk., P. O. Box 25, Webster, N. Y. For a license (BMC 5) for authority to operate as a *broker* at Caledonia, N. Y. in arranging for the transportation of *Passengers and their baggage* in round trip tours, from points in New York, New Jersey and Pennsylvania to all points in the United States and return.

NOTE: Applicant states that individual as well as groups of passengers and their baggage shall be handled.

APPLICATION FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5, GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

#### MOTOR CARRIERS OF PROPERTY

No. MC 109533 (Sub No. 8), filed September 3, 1957, OVERNITE TRANSPORTATION COMPANY, P. O. Box 1216, Richmand 9, Va. Applicant's attorney: Reuben G. Grimm, 805 Peachtree St. Bldg., Atlanta 8, Ga. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities

requiring special equipment, between points in Georgia as follows: (1) between Jackson and Macon over Georgia Highway No. 87 serving all intermediate points; (2) between Macon and Warner Robins, Warner Robins Air Material Area, and Robins Air Force Base, over Georgia Highway 247, serving all intermediate points; (also from Macon over U. S. Highway 41 to junction Georgia Highway 247 and thence over Georgia Highway 247 to Warner Robins, Warner Robins Air Material Area and Robins Air Force Base), serving all intermediate points; (3) between Macon and Franklinton, from Macon over U. S. Highways 80-23 to junction County Road (Riggins Mill Road) and thence over Riggins Mill Road to Franklinton, and return over the same routes, serving all intermediate points; (4) between Macon and Macon Municipal Airport and U. S. Ordnance Plant, over U. S. Highway 41, Georgia Highway 22 and County Road, and return over the same routes, serving all intermediate points; (5) between Forsyth and junction Georgia Highways 148 and 87 over Georgia Highway 148, serving all intermediate points; (6) serving Rex, Ellenwood and Flippin, Ga. as off-route points in connection with regular routes between Atlanta and Macon and Griffin, Ga. (from Atlanta over Georgia Highway 42 to Forsyth and thence over U. S. Highway 41 to Macon) authorized in Certificate No. MC 23941. Applicant is authorized to conduct operations in Virginia, Georgia, North Carolina, and South Carolina.

NOTE: With the exception of route numbered (6), this application is filed to obtain a Certificate of Public Convenience and Necessity authorizing continuance of interstate operations conducted under the second proviso of section 206 (a) (1) of the Interstate Commerce Act by Atlanta-Macon Motor Express, Inc., supported by intrastate Certificates on file with this Commission. This application is directly related to No. MC-F 6685.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a (b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under section 5 (2) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.240).

#### MOTOR CARRIERS OF PROPERTY

No. MC-F 6667, published in the August 21, 1957, issue of the FEDERAL REGISTER on page 6736. Application filed September 4, 1957, for temporary authority under section 210a (b).

No. MC-F 6685. Authority sought for purchase by OVERNIGHT TRANSPORTATION COMPANY, 501 South 14th Street, P. O. Box 1216, Richmond, Va., of the operating rights and property of ATLANTA-MACON MOTOR EXPRESS, INC., Third Street, Jackson, Ga., and for acquisition by J. HARWOOD COCHRANE, also of Richmond, of control of such rights and property through the purchase. Applicants' attorney: Reuben G. Crimm, 805 Peachtree Street Build-

ing, Atlanta 8, Ga. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier*, over regular routes, between Atlanta, Ga., and Macon and Griffin, Ga., serving all intermediate points; operations under the Second Proviso of section 206 (a) (1) of the Interstate Commerce Act in the State of Georgia in the transportation of *property*, as a *common carrier*, over regular routes between Macon and Franklinton, between Macon and Macon Municipal Airport, between Macon and U. S. Ordnance Plant, between Macon and Atlanta, between Jackson and Macon, between Forsyth and junction of State Highways Nos. 148 and 87, and between Macon and Warner Robins and Warner Robins Air Material Area, Robins Air Force Base, serving certain off-route points; *commodities*, as provided under Rule 8 between all points in Georgia within the highway mileage radius of fifty miles of Jackson, Ga., over no fixed route. Vendee is authorized to operate as a *common carrier* in Virginia, North Carolina, South Carolina, Tennessee, and Georgia. Application has not been filed for temporary authority under section 210a (b).

NOTE: This application is a matter directly related to No. MC 109533 Sub 8.

No. MC-F 6686. Authority sought for control by JOSEPH G. McFARLAND, JR., AND PAUL J. McFARLAND, both of 1007 Dixwell Avenue, Hamden, Conn., of THE McFARLAND & STAMPLE TRUCKING COMPANY and THE McFARLAND TRANSPORTATION COMPANY, both of 1007 Dixwell Avenue, Hamden, Conn. Applicants' attorney: Frank W. Flood, 157 Church Street, New Haven, Conn. Operating rights sought to be controlled: (THE McFARLAND & STAMPLE TRUCKING COMPANY) *Petroleum products*, as a *common carrier*, over irregular routes, from Bayonne and Newark, N. J., to New Haven, Conn.; *acids and chemicals*, from New Haven, Conn., to Springfield, Holyoke and Westfield, Mass.; *radiators, boiler sections, and related articles*, between New Haven, Conn., on the one hand, and, on the other, Bayonne and Warren Point, N. J., and New Rochelle, N. Y.; *wire, wire products, and equipment used in the handling of wire*, between New Haven, Conn., and New York, N. Y.; *malt beverages*, as a *contract carrier*, over irregular routes, from Newark, N. J., to Hamden and Wethersfield, Conn., and from Newark, N. J., to Fairfield, Conn. (THE McFARLAND TRANSPORTATION COMPANY) *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes between New York, N. Y., and Clinton, Conn., and between New Haven, Conn., and Greenwich, Conn., serving certain intermediate and off-route points; *beds, bed springs, mattresses, couches, cots, hammocks, sofas, pillows, and bedding*, from Elizabeth, N. J., to New Haven, Conn., serving no intermediate points; *general commodities*, with certain exceptions including household goods and commodities in bulk,

over irregular routes, between points on U. S. Highway 1 between New Haven, Conn., and Greenwich, Conn., both inclusive, on the one hand, and, on the other, New York, N. Y., and points in New York and New Jersey within ten miles of New York, N. Y., and between New Haven, Conn., on the one hand, and, on the other, certain points in Massachusetts, certain points in New Jersey, Mamaroneck and New York, N. Y., Woonsocket and Providence, R. I., and Hamden and West Haven, Conn.; *household goods*, as defined by the Commission, between New Haven, Conn., and points in Connecticut within 15 miles of New Haven, on the one hand, and, on the other, points in New York, New Jersey, Massachusetts, and Pennsylvania; *waste paper, rags, and scrap cloth materials*, between New Haven, Manchester, and Stamford, Conn., New York, N. Y., Westfield, Springfield, Lowell, Fitchburg, Holyoke, and Boston, Mass., Providence and Valley Falls, R. I., and Bogota and Manville, N. J.; *scrap metals*, in truckloads, from Bridgeport, Ansonia, and New Haven, Conn., to Laurel Hill, N. Y., and Carteret, Newark, Perth Amboy, and Riverside, N. J.; *brass and copper ingots*, from Bridgeport, Conn., to Jersey City, Carteret, Riverside, East Orange, Perth Amboy, and Newark, N. J., and Port Chester, N. Y.; *copper rod*, from Phillipsdale, R. I., to Hamden, Conn.; *fertilizer, and fertilizer compounds*, between Bridgeport, Conn., on the one hand, and, on the other, certain points in New York, points in Rhode Island, and certain points in Massachusetts. Applicants hold no authority from this Commission, but JOSEPH G. McFARLAND, JR., is the majority stockholder of THE McFARLAND TRANSPORTATION COMPANY and PAUL J. McFARLAND is the principal stockholder of THE McFARLAND & STAMPLE TRUCKING COMPANY. Application has not been filed for temporary authority under section 210a (b):

No. MC-F 6688. Authority sought for purchase by THE SANTA FE TRAIL TRANSPORTATION COMPANY, Broadway and English Streets, Wichita, Kans., of the operating rights of CHARLES W. PAYNE, MABEL JESSIE PAYNE, EXECUTRIX, doing business as PAYNE BROTHERS TRUCK LINE, 120 East Sherman, Kingman, Kans., and for acquisition of control of such rights by THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, 80 East Jackson Boulevard, Chicago, Ill. Applicants' attorney: F. J. Steinbrecher, 1211 Railway Exchange Building, Chicago, Ill. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over a regular route, between Wichita, Kans., and Hutchinson, Kans., serving the intermediate points of Kingman, Kans., and those between Wichita and Kingman, and the off-route points of Waterloo and Fourway, Kans. Vendee is authorized to operate as a *common carrier* in Nebraska, Oklahoma, Kansas, Missouri, Arkansas, Colorado, New Mexico, and Texas. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6689. Authority sought for control by TAKIN BROS. FREIGHT LINE, INC., 100 East Tenth Street, Waterloo, Iowa, of IOWA-NEBRASKA TRANSPORTATION CO., INC., Avoca, Iowa, and for acquisition by WIRTZ LEASING SERVICE, INC., 7500 West Chicago Avenue, Gary, Ind., and, in turn, by FRANK J. WIRTZ, 18000 Governor's Highway, Homewood, Ill., of control of IOWA-NEBRASKA TRANSPORTATION CO., INC., through the acquisition by TAKIN BROS. FREIGHT LINE, INC. Applicant's attorney: Robert N. Burchmore, 2106 Field Building, Chicago 3, Ill. Operating rights sought to be controlled: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier*, over regular routes, between Chicago, Ill., and Omaha, Nebr., between Iowa City, Iowa, and Cedar Rapids, Iowa, between Marengo, Iowa, and Belle Plaine, Iowa, between Marshalltown, Iowa, and Des Moines, Iowa, and between Avoca, Iowa, and Des Moines, Iowa, serving certain intermediate and off-route points; several alternate routes for operating convenience only; *packing-house products* and *fresh meat*, between Omaha, Nebr., and Arcadia, Iowa, serving all intermediate and certain off-route points; *butter*, *eggs*, *dressed poultry*, and *agricultural commodities*, over regular and irregular routes from Avoca, Harlan, and Exira, Iowa, to Chicago, Ill., serving no intermediate points; *fresh meats*, *packing-house products*, and *packing-house supplies*, over irregular routes, between Dunlap, Iowa, and Panama, Portsmouth, and Persia, Iowa, between Denison, Iowa, and Deloit, Iowa, between Arcadia, Iowa, and Botna, and Irwin, Iowa, and between Harlan, Iowa, and Panora, Iowa. TAKIN BROS. FREIGHT LINE, INC., is authorized to operate as a *common carrier* in Iowa, Illinois, and Indiana. Application has been filed for temporary authority under section 210a (b).

No. MC-F 6690. Authority sought for control and merger by HOOVER MOTOR EXPRESS COMPANY, INC., Polk Avenue, Nashville, Tenn., of the operating rights and property of INDIANAPOLIS FORWARDING COMPANY, 2500 West Taylor Street, Chicago, Ill., and for acquisition by E. H. HOOVER, JR., MIRIAM HOOVER COLE, ELIZABETH HOOVER DERRYBERRY, DOROTHY HOOVER MILAM and RUTH HOOVER GARRETT, all of Nashville, of control of such rights and property through the transaction. Applicants' attorneys: Judson Harwood, Nashville Trust Building, Nashville, Tenn., and Axelrod, Goodman & Steiner, 39 South LaSalle Street, Chicago, Ill. Operating rights sought to be controlled and merged: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk (not excluding red oils, stearic acid, and fatty acids, in bulk, in tank vehicles), commodities requiring special equipment, and those injurious or contaminating to other lading, as a *common carrier* over regular routes between Chicago, Ill., and Indianapolis,

Ind., between Chicago, Ill., and Cincinnati, Ohio, and between Chicago, Ill., and Louisville, Ky., serving certain intermediate and off-route points; several alternate routes for operating convenience only; *general commodities*, except those of unusual value, and except livestock, Class A and B explosives, household goods as defined by the Commission, commodities in bulk (not including red oils, stearic acid, and fatty acids, in bulk, in tank vehicles), commodities requiring special equipment, and those injurious or contaminating to other lading, between Hammond, Ind., and the junction of U. S. Highways 41 and 6 and Indiana Highway 152, serving no intermediate points. HOOVER MOTOR EXPRESS COMPANY, INC., is authorized to operate as a *common carrier* in Tennessee, Georgia, Alabama, Missouri, Kentucky, Illinois and Ohio. Application has been filed for temporary authority under section 210a (b).

No. MC-F 6691. Authority sought for purchase by REPUBLIC VAN AND STORAGE CO., INC., 330 South Central Avenue, Los Angeles 13, Calif., of the operating rights of EASTERN VAN LINES, INC., 620 Meigs Street, Rochester 20, N. Y., and for acquisition by PAUL J. SMITH, 215 West Longden, Arcadia, Calif., and S. H. SMITH, 300 Mockingbird Lane, South Pasadena, Calif., of control of such rights through the purchase. Applicants' attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a *common carrier*, over irregular routes, between points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Jersey, New York, New Hampshire, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin and the District of Columbia, between points in New York, Pennsylvania, and Tennessee, on the one hand, and, on the other, points in Iowa, Missouri, Texas, Arkansas, Alabama, Florida, Georgia, South Carolina, and North Carolina, and between points in New York, Maryland, the District of Columbia, and Tennessee, on the one hand, and, on the other, the boundary of the United States and Canada at the following ports of entry: Van Buren, Madawaska, Fort Fairfield, Houlton, Vanceboro, and Calais, Maine, Swanton, Darby Line, and Norton, Vt., Champlain, Moores, Trout River, Roosevelttown, Clayton, Lewiston, Niagara Falls, and Buffalo, N. Y., Detroit, Port Huron, and Sault Sainte Marie, Mich., and St. Vincent, Mineral Center, and International Falls, Minn. Vendee is authorized to operate as a *common carrier* in Illinois, Iowa, Minnesota, Nebraska, Colorado, Wyoming, Utah, Nevada, California, Alabama, Connecticut, Delaware, Indiana, Kentucky, Maryland, Massachusetts, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Wisconsin, Oklahoma, Arkansas, Kansas, Texas, Michigan, and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6692. Authority sought for purchase by UNITED STATES VAN LINES, INC., 3340 North Mannheim Road, Franklin Park, Ill., of a portion of the operating rights of DAVIS TRANSFER & STORAGE CO., 410 South Fir, Medford, Oreg., and for acquisition by ARCHIBALD H. STEVENS, 121 South Niagara, Saginaw, Mich., ALLEN A. METCALF, SR., and ALLEN A. METCALF, JR., both of 1255 East Highway 36, St. Paul, Minn., and HAZEN H. STEVENS, 3340 Mannheim Road, Franklin Park, Ill., of control of such rights through the purchase. Applicants' attorney: Ramon S. Regan, 2255 Penobscot Building, Detroit 26, Mich. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a *common carrier*, over irregular routes, between points in Jackson, Josephine, and Douglas Counties, Oreg., on the one hand, and, on the other, points in California. Vendee is authorized to operate as a *common carrier* in South Dakota, Minnesota, Iowa, Florida, Arkansas, Missouri, North Dakota, Wyoming, Colorado, Oklahoma, Kansas, Nebraska, Massachusetts, Illinois, Wisconsin, Michigan, Indiana, Ohio, Pennsylvania, New York, Arizona, California, Idaho, Louisiana, Montana, North Carolina, Oregon, Tennessee, Texas, Utah, Washington, Connecticut, New Jersey, Maryland, Rhode Island, Delaware, West Virginia, Kentucky, Virginia, South Carolina, Georgia, and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6693. Authority sought for control and merger by INTERSTATE MOTOR LINES, INC., 235 West Third South, Salt Lake City 1, Utah, of the operating rights and property of MORGAN TRUCK SERVICE, INC., Three Flags Highway, John Day, Oreg., and for acquisition by T. S. CARTER, also of Salt Lake City, of control of such rights and property through the transaction. Applicants' attorneys: Edward M. Berol, 100 Bush Street, San Francisco 4, Calif., Samuel B. Weinstein and Moe M. Tonkon, both of Public Service Building, Portland, Oreg. Operating rights sought to be controlled and merged: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes between Portland, Oreg., and Prairie City, Oreg., between Canyon City, Oreg., and Burns, Oreg., between junction U. S. Highway 28 and Oregon Highway 7 and Baker, Oreg., between Pendleton, Oreg., and Mount Vernon, Oreg., between Vale, Oreg., and Ontario, Oreg., between Canyon City, Oreg., and Izee, Oreg., between Prineville, Oreg., and the junction of U. S. Highway 26 and Oregon Highway 19, between Ontario, Oreg., and the Brownlee Dam Site, between Baker, Oreg., and the Brownlee Dam Site, and between Weiser, Idaho, and the Brownlee Dam Site, serving certain intermediate and off-route points; alternate routes for operating convenience only between Vale, Oreg., and Burns, Oreg., and between Portland, Oreg., on the one hand, and, on the other, junction Oregon

Highway 19 and U. S. Highway 26 west of Dayville, Oreg.; *general commodities*, except liquid petroleum products, in bulk, in tank trucks, between Fossil, Oreg., and Kinzua, Oreg., between John Day, Oreg., and Canyon City, Oreg., and between Condon, Oreg., and Vale, Oreg., serving certain intermediate and off-route points; *general commodities*, except household goods as defined by the Commission, between Boise, Idaho, and Weiser, Idaho, between Boise, Idaho, and junction U. S. Highway 30 and Idaho Highway 52 (formerly Idaho Highway 16), between Caldwell, Idaho, and Homedale, Idaho, between Caldwell, Idaho, and Parma, Idaho, between Wilder, Idaho, and Fruitland, Idaho, and be-

tween Roswell, Idaho, and Adrian, Oreg., serving certain intermediate points; *lumber mill products*, over irregular routes, from points in Wahkiakum, Cowlitz, Clark, Skamania, and Klickitat Counties, Wash., to points in Umatilla, Union, Baker, and Malheur Counties, Oreg.; *ore and ore concentrates, livestock, wool, feeds, and salt*, between points in Grant and Wheeler Counties, Oreg., on the one hand, and, on the other, certain points in Oregon; *livestock and livestock feed*, between points in Grant and Wheeler Counties, Oreg., on the one hand, and, on the other, certain points in California, certain points in Idaho, and certain points in Washington; *livestock salt*, from certain points

in California, certain points in Idaho, and certain points in Washington, to points in Grant and Wheeler Counties, Oreg. INTERSTATE MOTOR LINES, INC., is authorized to operate as a *common carrier* in Colorado, Utah, Wyoming, Nevada, California, Illinois, Nebraska, Iowa, Arizona, Idaho, Oregon, Kansas, and Missouri. Application has not been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL]

HAROLD D. McCoy,  
Secretary.

[F. R. Doc. 57-7642; Filed, Sept. 17, 1957;  
8:46 a. m.]