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Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER C—SPECIAL PROGRAMS

PART 777—PROCESSOR WHEAT MARKETING CERTIFICATE REGULATIONS

- Sec.
777.1 General statement.
777.2 Administration.
777.3 Definitions.
777.4 Applicability of certificate requirements.
777.5 Registration of processing plants.
777.6 Transition.
777.7 Refunds or credits for flour exports.
777.8 Penalties.

AUTHORITY: The provisions issued under Secs. 379a to 379j, 52 Stat. 31, as amended by 76 Stat. 626 and 78 Stat. 178; 7 U.S.C. 1379 a-j.

§ 777.1 General statement.

(a) *Basis and purpose.* The Agricultural Adjustment Act of 1938, as amended by the Agricultural Act of 1964, provides that during any marketing year for which a wheat marketing allocation program is in effect, all persons engaged in the processing of wheat into food products shall, with certain exceptions, prior to marketing any such food products or removing such food products for sale or consumption, acquire domestic wheat marketing certificates equivalent to the number of bushels of wheat contained in such products. The act also provides that upon the giving of a bond or other undertaking satisfactory to the Secretary of Agriculture to secure the purchase of and payment for such marketing certificates as may be required, and subject to such regulation as he may prescribe, any person required to have marketing certificates in order to market the food product may be permitted to market any such product without having acquired marketing certificates in advance. A marketing allocation program is in effect for the year beginning July 1, 1964, and ending June 30, 1965. The regulations in this subpart contain the terms and conditions for implementing these requirements of law.

(b) *Issuance of regulations.* The regulations in this part are being issued in two installments. The first installment (§§ 777.1 to 777.8) contain certain general provisions, requirements for registration of all processors of wheat, and provisions which facilitate the transition by processors from the program currently in effect to compliance with requirements provided in these regulations. Since these requirements must be acted upon immediately by processors of wheat, it is essential that §§ 777.1 through 777.8 be made effective as soon as possible. Accordingly, it is

hereby found and determined that compliance with the notice, public procedure, and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and that §§ 777.1 through 777.8 shall be effective upon filing this document with the Director, Office of the Federal Register. In formulating such sections, there has been consultation with various interested industry groups and wheat processors. The second installment of these regulations to be issued subsequently will contain specific requirements as to the time and manner for acquiring marketing certificates, further provisions as to reports and record keeping, and miscellaneous requirements.

§ 777.2 Administration.

The regulations in this part will be administered by the Agricultural Stabilization and Conservation Service (hereinafter referred to as "ASCS") under the general supervision of the Administrator, ASCS. The Commodity Credit Corporation (hereinafter referred to as "CCC") will assist in carrying out the regulations through the sale and purchase of domestic certificates. Information pertaining to the regulations in this part may be obtained from the Director, Procurement and Sales Division, ASCS, U.S. Department of Agriculture, Washington, D.C., 20250.

§ 777.3 Definitions.

As used in the regulations in this part and in all instructions, forms, and documents pertaining hereto, the words and phrases defined in this section shall have the meaning assigned to them as follows, unless the context or subject matter otherwise requires:

(a) "Wheat" means wheat (regardless of whether produced in the United States), as defined in the Official Grain Standards of the United States or any wheat contained in any mixed grain or in any other mixture, which if not contained in such mixture would qualify as wheat under such standards.

(b) "Food product" means:

(1) Any product processed in whole or in part from wheat, irrespective of whether such product is actually used for human consumption, except such products as are defined herein as non-food products. Such food products shall, except as provided in paragraph (c) (3) of this section, include but not be limited to the following:

- (i) Flour, as defined herein.
- (ii) Wheat which is boiled, pearled, steeped, or commercially sprouted.
- (iii) Any breakfast cereal.
- (iv) Any beverage.
- (v) Cracked, ground, crushed or rolled wheat or such other similarly processed wheat as may be designated by the Administrator, except to the extent that the total product of the wheat processed is

used in or marketed as animal feed or other non-food product. To qualify as ground wheat not more than 70 percent of such total product shall pass through a No. 8 sieve, and not more than 30 percent of such total product shall pass through a No. 20 sieve.

(c) "Non-food product" means:

(1) The following products when processed in a single plant directly from wheat in a continuous process, but nothing herein shall be construed to mean that a food product used to make any such product shall become a non-food product:

- (i) Animal feed.
- (ii) Pet food and poultry feed.
- (iii) Adhesives and other industrial products unsuitable for human consumption.

(2) Cracked, ground, crushed, rolled or other similarly processed wheat designated by the Administrator to the extent that the total product of the wheat processed is used in or marketed as animal feed or other non-food product specified in this paragraph.

(3) Any product unfit for human consumption processed specifically for use as animal feed or other non-food product specified in this paragraph.

(4) Such other products processed from wheat as the Administrator may determine to be non-food products.

(d) "Flour" means all flour (including flour clears) processed in whole or in part from wheat and shall include whole wheat or graham flour, Durum flour, malted wheat flour, stone ground flour, self-rising flour, semolina, farina and bulgur.

(e) "Person" means an individual, corporation, partnership, association, State agency, municipality or any other legal entity.

(f) "Food Processor" means any person who processes wheat into a food product, irrespective of whether or not his principal business activity is that of a food processor.

(g) A "plant" or "processing plant" means collectively all processing units under one roof or located adjacent to each other except that (1) any such unit or units producing animal feed or other non-food product exclusively shall be considered a separate plant and (2) any such unit or units processing durum wheat exclusively shall be considered a separate plant.

(h) "United States" means all the States in the United States, the District of Columbia and Puerto Rico, including any Free Trade zones located therein.

(i) "Bushel" means 60 pounds of wheat, exclusive of dockage as defined in the Official Grain Standards of the United States or 60 pounds of wheat which is contained in mixed grain or in any mixture.

(j) "Domestic certificate" or "certificate" means a Form CCC-145, Wheat Marketing Certificate (domestic) issued by CCC, or a certificate credit established

by CCC in its accounts in favor of a food processor for certificates purchased pursuant to these regulations.

(k) "Marketing year" means the twelve months beginning July 1, and ending June 30.

(l) "Director" means the Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(m) "Commodity office" means the Kansas City ASCS Commodity Office, 8930 Ward Parkway, P.O. Box 205, Kansas City, Missouri, 64141.

(n) "ASCS offices" means:

Evanston ASCS Commodity Office, ASCS-USDA, 2201 Howard Street, Evanston, Ill., 60202.

Kansas City ASCS Commodity Office, ASCS-USDA, 8930 Ward Parkway, Kansas City, Mo., Mailing Address: P.O. Box 205, Kansas City, Mo., 64141.

Portland Branch Office, 1218 Southwest Washington Street, Portland 5, Oreg.

Minneapolis Branch Office, Room 310, Grain Exchange Building, Minneapolis, Minn., 55415.

(o) "Administrator" means the Administrator, ASCS.

§ 777.4 Applicability of Certificate Requirements.

(a) *General.* Any person processing wheat into food products as defined herein, in the United States on or after 12:01 a.m. local time, July 1, 1964, regardless of whether he has legal title to the wheat or the food product processed therefrom, shall for the wheat so processed acquire and surrender certificates to CCC at the time and in the manner specified in § 777.11. The cost of domestic certificates for the marketing year beginning July 1, 1964, shall be 70 cents per bushel except to the extent that the processor qualifies for transition certificates under § 777.6.

(b) *Exemptions.* Notwithstanding the foregoing, certificates shall not be required in the circumstances specified in subparagraphs (1), (2), and (3) of this paragraph.

(1) *Farm-use exemption.* Certificates shall not be required for wheat which is processed into a food product for use on the farm where grown and not for sale or other disposition. To support such exemption, the processor shall obtain a certification on Form CCC-148, Food Product Farm Use Certificate, from the person to whom each lot of food product is delivered. The food processor shall exercise care to ascertain that the exemption is not claimed for a quantity of food products in excess of that actually required for use on the farm where produced. The food processor may without acquiring certificates, deliver to the person from whom he obtained the certification on Form CCC-148, an amount of the food product not in excess of the amount of the product processed from the wheat received by the processor from such person. It is not necessary that the food product be processed from the identical wheat received. This exemption does not apply to any wheat received by the processor in payment of processing charges.

(2) *Wheat processed in bond.* Certificates shall not be required for wheat

produced outside the United States which moves into the United States under customs bond, which is processed into food products in a bonded manufacturing warehouse, and which is exported without having been withdrawn from bond for consumption in the United States. To obtain such exemption, the food processor must submit to the Commodity Office an authenticated copy of Customs Form 7521 evidencing the entry of the wheat into a bonded manufacturing warehouse and an authenticated copy of Customs Form 7521 evidencing the withdrawal from customs bond for exportation of the food products processed therefrom.

(3) *Custom or toll processing for the Department of Agriculture.* Certificates shall not be required for wheat processed into food products delivered to CCC pursuant to a processing contract which provides for the processing of wheat supplied by CCC.

§ 777.5 Registration of processors.

(a) *Time of registration.* Any person who processes wheat, either into a food product or non-food product, except a person who processes wheat solely for use on the farm where grown, shall register with the Director (see paragraph (1), § 777.3) by May 20, 1964, or such later date as may be approved by the Director in writing by making the report required by paragraph (b) of this section. Any such person who begins such processing operations subsequent to May 20, 1964, and who is not registered, shall register not later than the date he commences operations. Any person who has registered with the Director and who modifies his operations, such as by opening or closing plants, or beginning to process food products, subsequent to the date of his registration, shall give notice of such change to the Director not later than the date he modifies his operations.

(b) *Method of registration.* A person who is required to register (hereinafter called "registrant") shall submit to the Director a report on Form CCC-146, Wheat Processor Registration and Report Form. Any person failing to submit such report is subject to criminal penalties. Blank forms may be obtained from the Director or from any ASCS office listed in paragraph (n) of § 777.3. A separate form in an original and three copies shall be prepared for each processing plant. The original and two copies, shall be submitted to the Director and one copy shall be retained by the registrant. The form shall include the following information: (1) Name of the registrant, (2) Central Office address, (3) plant address, (4) list of food products and non-food products processed at each plant, (5) request for any non-food product designation which the registrant may wish to make (6) intention to participate or not to participate in transition procedure (see § 777.6), (7) such other information on the form as may be required by the Director.

(c) *Notification of registration by Director.* The Director will assign a primary registration number to the person and return one copy of the Form CCC-146 to him. If he operates more than one

plant, he will be assigned a sub-number for each plant, such as Nos. 295-1, 295-2, 295-3, etc.

§ 777.6 Transition.

(a) *General.* It has been determined necessary to facilitate the transition from the 1963 program to the 1964 marketing allocation program by reducing the cost of domestic certificates from 70 cents per bushel to 18 cents per bushel on certain wheat produced and stored in the United States and processed into food products on and after July 1, 1964. Such reduced cost certificates shall hereinafter be referred to as "transition certificates".

(b) *Eligible persons.* Food processors who elect to apply for transition certificates and who comply with the requirements of this section shall be eligible to acquire transition certificates from CCC.

(c) *Quantity eligible for transition certificates.* (1) The quantity of wheat for which transition certificates may be acquired by a processor shall be computed separately for each processing plant for which the processor elects to qualify for transition certificates and separately for each class of wheat for which he elects to qualify for such certificates. Such quantity shall be:

(i) The quantity of old crop wheat (i.e., wheat of 1963 and prior crops) produced and stored in the United States to which the processor holds legal title as of midnight, May 23, 1964, and which has been assigned by the processor for use in the processing plant for which the computation is being made; plus

(ii) The quantity of wheat which the processor purchases from CCC for unrestricted use, which is not designated by CCC as non-storable, which is assigned by the processor for use in the processing plant, and to which legal title is acquired by the processor during the period commencing at 12:01 a.m. on May 24, 1964, and ending at midnight on June 30, 1964; minus

(iii) The quantity of wheat owned by the processor and processed by the processing plant during the period commencing at 12:01 a.m. on May 24, 1964, and ending at midnight on June 30, 1964, irrespective of when the wheat was acquired or whether the wheat processed is old or 1964 crop wheat; and minus

(iv) The quantity of all wheat assigned or intended for use in the processing plant (irrespective of when the wheat was acquired or whether the wheat was old or 1964 crop wheat) as to which there is a transfer of legal title to a buyer, or an intra-company transfer from the plant or reassignment for use other than in the processing plant or a delivery to a carrier for shipment from the United States during the period commencing at 12:01 a.m. on May 24, 1964, and ending at midnight on June 30, 1964.

(2) The processor shall not on or after July 1, 1964, use any wheat which was used as a basis for acquiring transition certificates to replace wheat exported between May 24, 1964 and July 1, 1964, so as to have used such wheat both for the purpose of establishing eligibility for transition certificates and for the purpose of facilitating certificate free exports prior to July 1, 1964. Any proc-

essor who violates the foregoing provision shall be considered not to have acted in good faith and shall be subject to the provisions of paragraph (h) of this section.

(3) For the purposes of this section, mixed wheat shall be deemed to consist of the classes of wheat which comprise the mixture. Cleaned wheat, irrespective of degree of cleaning or sizing, and any wheat in process with the berry remaining unbroken by processing (excluding boiled, pearled, steeped or commercially sprouted wheat) shall be eligible on the same basis as any other wheat for transition certificate purposes. For purposes of this section all time shall be local time.

(d) *Transition certificates.* Transition certificates shall be valid only to cover wheat processed into food products during the period July 1, 1964, through August 31, 1964, in the processing plant for which the certificates were issued but such certificates may be used to cover wheat other than the class for which the processor qualified. The cost of such certificates shall be 18 cents per bushel. Transition certificates shall be issued by establishing certificate credits in favor of the processor in the accounts of CCC upon receipt by CCC of payment therefor.

(e) *Submission of reports.* (1) Any food processor who wishes to qualify for transition certificates must submit for each processing plant and for each class of wheat for which he wishes to qualify the following reports:

(i) *Beginning Inventory Transition Report, Form CCC-152,*¹ together with supporting schedules, to be postmarked not later than May 30, 1964, or such later date as may be approved in writing by the Director for good cause shown.

(ii) *Transition Operations Report, Form CCC-153,*¹ together with supporting schedules, to be postmarked not later than July 15, 1964, or such later date as may for good cause shown, be approved by the Director in writing. Forms and form preparation instructions may be obtained from the ASCS offices named in § 777.3(n). Completed forms shall be submitted to the Kansas City Commodity Office. Quantities shall be reported in bushels, excluding dockage. Completed forms shall contain all the information required on the forms and shall be prepared in accordance with instructions relating thereto.

(f) *Transition Records to be retained by food processor.* (1) Food processors shall establish and retain accurate records and documents to support the quantities of each class of wheat reported under this section. Separate records shall be established and documents retained for each processing plant. Documents to be retained shall include:

(i) Purchase and sale contracts, purchase and sale invoices, delivery documents, and any other documents necessary to establish legal title to the wheat and the date such title was acquired.

(ii) Bills of lading and related weight and inspection certificates for wheat in transit.

(iii) Records showing the determination of inventory of wheat in the elevator

at the processing plant location servicing the processing plant and in the processing plant as of May 23, 1964, and June 30, 1964, including weight tickets representing a weigh-up of the wheat, or accurate measurements made of the wheat.

(iv) Documents evidencing the weight of wheat received in and withdrawn from the processing plant and the elevator at the processing plant location servicing the processing plant during the period from May 23, 1964, through June 30, 1964.

(v) Any other documents relating to the quantities of wheat reported.

(2) Representatives of the U.S. Department of Agriculture may examine such records and documents or the stocks of wheat in storage or in the processing plant at any time during normal business or working hours. Transition inventory records shall be retained until July 1, 1966.

(g) *Wheat stored in public warehouses and elevators.* If any wheat included in the Beginning Inventory Transition Report is stored in a public warehouse or elevator and such warehouse or elevator does not have a Uniform Grain Storage Agreement with CCC, the processor must obtain a certification by the warehouseman that the warehouse receipts representing such wheat are outstanding, that he had on May 23, 1964, sufficient stocks of wheat of the particular class to cover his entire storage liability of such wheat, that he will maintain adequate stocks of the particular class of wheat to cover his storage liability so long as such warehouse receipts are outstanding, and that he will maintain accurate records of all wheat of the particular class received and withdrawn from storage during the period such warehouse receipts are outstanding. Such records shall be retained until July 1, 1966. Warehousemen shall furnish such certification upon request of food processors who establish ownership of outstanding warehouse receipts. Representatives of the U.S. Department of Agriculture may examine such warehouse records and the stocks of wheat in storage at any time during normal business hours of the warehousemen. Warehousemen who have a Uniform Grain Storage Agreement with CCC are obligated under such agreement to maintain adequate stocks of wheat to cover their storage liability and to maintain accurate records of wheat in storage.

(h) *Failure to act in good faith.* Any processor who is determined by the Administrator not to have acted in good faith in any report made under this section or in any transaction which serves as a basis for establishing the amount of wheat on which he is entitled to purchase transition certificates under this section, in addition to any other liability, may be denied, to the extent determined by the Administrator, the right to acquire, use, or retain the benefits of any transition certificates to which he might otherwise be entitled.

§ 777.7 Refunds or credits for flour exports.

The Agricultural Act of 1964 provides, "In order to expand international trade in wheat and wheat flour and promote

equitable and stable prices therefor, the Commodity Credit Corporation shall upon the exportation from the United States of any wheat or wheat flour, make a refund to the exporter or allow him a credit against the amount payable by him for marketing certificates, in such amount as the Secretary determines will make United States wheat and wheat flour generally competitive in the world market, avoid disruption of world market prices, and fulfill the international obligations of the United States." Applicable refunds or credits for flour will be determined and announced in connection with the Flour Export Program-Cash Payment (GR-346). The terms and conditions of that program will prescribe the manner in which such refunds or credits will be available to exporters of flour. In the case of wheat acquired from CCC under Announcement GR-262 to be exported in the form of flour, applicable refunds or credits, as well as the cost of marketing certificates will be taken into account by CCC in pricing the wheat. No refunds or credits shall be made on exports of any food product other than flour as defined in § 777.3(d).

§ 777.8 Penalties.

(a) *Violation of marketing restrictions—forfeitures.* Any person who violates or attempts to violate or who participates or aids in the violation of any of the provisions of these regulations with regard to the acquisition of certificates prior to marketing any such food product or removing such food product for sale or consumption shall be subject to section 3791(a) of the Agricultural Adjustment Act of 1938 which provides for the forfeiture to the United States by such person of a sum equal to two times the face value of the certificates involved in such violation. Such forfeiture shall be recoverable in a civil action brought in the name of the United States.

(b) *Violation of marketing restrictions; failure to make reports or maintain records—criminal penalties.* Any person, except a producer in his capacity as a producer, who violates or attempts to violate or who participates or who aids in the violation of any provision of these regulations governing the acquisition, disposition or handling of certificates or who fails to make any report or keep any record as required by these regulations shall be subject to the provisions of section 3791(b) of the Agricultural Adjustment Act of 1938 which state that such person shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five thousand dollars for each violation.

(c) *Fraudulent use of marketing certificates.* Any person who falsely makes, issues, alters, forges or counterfeits any certificate, or with fraudulent intent possesses, transfers, or uses such falsely made, issued, altered, forged or counterfeited certificate, shall be subject to the provisions of section 3791(c) of Agricultural Adjustment Act of 1938 which state that such person shall be deemed guilty of a felony and upon conviction thereof shall be subject to a fine of not more than ten thousand dollars or imprisonment of not more than ten years, or both.

The recordkeeping and reporting requirements of these regulations have been

¹ Filed as part of the original document.

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

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

Signed at Washington, D.C., on May 8, 1964.

CHARLES S. MURPHY,
Acting Secretary.

APPENDIX I

PROCESSOR WHEAT MARKETING CERTIFICATE
REGULATIONS

Instructions to Processors for Preparation of
Wheat Transition Report Forms

1. Food Processors who wish to qualify for transition certificates with respect to wheat must submit a Beginning Inventory Transition Report as of May 23, 1964, Form CCC-152 together with supporting schedules (Forms CCC-152-1, 2 and 3) to the Kansas City Commodity Office postmarked not later than May 30, 1964, or such later date as may be approved in writing by the Director for good cause. Blank forms may be obtained from any ASCS office indicated in Section 777.3(n) of the regulations and may be reproduced by the processor, if necessary. Prepare separate reports and schedules for each processing plant and for each class of wheat. Mixed wheat shall be deemed to be comprised of the classes included in the mixture. Show classes and percentages in the mixture and report quantity under applicable class. Report quantities assigned to each processing plant in net bushels. Dockage based on official inspection certificates must be deducted. 1964 crop wheat in the food processor's owned inventory on May 23, 1964, is not eligible for transition certificates and must not be included in the report. Complete the forms as follows:

A. List on Form CCC-152-1 stocks of wheat owned by the processor and stored in public elevators on midnight May 23, 1964. Prepare a separate form for each elevator. (Do not include stocks of wheat stored in a public elevator at the processing plant location servicing the processing plant.) Include only stocks of wheat received in the elevator on or before May 23, 1964, and assigned for use in the processing plant. Do not include wheat removed from elevators on or before May 23, 1964. Enter name and address of elevator and UGSA code, warehouse receipt number, name of person to whom issued, and net bushels. If the wheat is stored in a processor owned elevator and a warehouse receipt has not been issued, enter "unreceived" in the space provided for warehouse receipt number. If any wheat is stored in a public elevator which does not have a Uniform Grain Storage Agreement, obtain the following warehousemen's certification on each such form:

"I hereby certify that: (1) the above listed warehouse receipts included in the food processor's transition inventory as of May 23, 1964, are outstanding, (2) I had on that date sufficient stocks of wheat of the particular class to cover my entire storage liability for such wheat, (3) I will maintain adequate stocks of the particular class of wheat to cover my entire storage liability so long as such warehouse receipts are outstanding, (4) I will maintain accurate records of all wheat of the particular class received and withdrawn from storage during the period such warehouse receipts are outstanding, and (5) I will retain such records until July 1, 1966."

B. List on Form CCC-152-2 stocks of owned wheat in transit on May 23, 1964, and assigned for use in the processing plant. Include stocks of wheat placed in transit on or

before May 23, 1964, which are unloaded after May 23, 1964. Enter car number or other carrier identification, delivering carrier, unload location and net bushels. If official weights are not available, enter estimated weights and submit a corrected report when official unload weights or settlement weights are available.

C. List on Form CCC-152-3, stocks of owned wheat stored in the elevator (whether public or private) at the processing plant location which services the processing plant and stocks in the processing plant. Include only stocks of wheat received in the elevators on or before May 23, 1964. Do not include wheat removed or transferred from the elevators on or before May 23, 1964. Also list on Form 152-3 the stocks of wheat stored in the processing plant or in process on May 23, 1964, which remains in its whole form and has not been pearled, boiled, steeped or commercially sprouted. The quantity of such wheat shall be determined by weigh-up or by accurate measurement of the wheat stored in bins or tanks less the storage liability for any wheat stored for others. Enter in the space provided on the form the identification (name, number or location) of the elevator, warehouse, building, processing plant, etc. where the stocks are stored and the net bushels. If dockage was not officially determined, enter gross bushels. Enter the total quantity in storage and deduct the storage liability to others, if any.

D. Enter the total quantities shown on Forms CCC-152-1, 2 and 3 in the related spaces on Form CCC-152. If any wheat owned by the processor and assigned for use in the processing plant is stored at other locations, enter the total net bushels in Item 4. Attach a statement in duplicate showing from whom the wheat was purchased, date title was acquired, complete description as to where the wheat is stored, in whose custody the wheat is stored and any other pertinent information. Enter the grand total in Item 5. The certificate shall be executed and dated by an authorized official of the food processor. Enter your processing plant code in the space provided, if such code is available. Submit the original and one copy of Forms CCC-152, 152-1, 2 and 3. Retain a copy in your files.

2. Food Processors who wish to qualify for transition certificates must also submit to the Kansas City Commodity Office, postmarked not later than July 15, 1964, or such later date as may be approved in writing by the Director for good cause shown, Transition Operations Report as of June 30, 1964, Form CCC-153, together with supporting schedule (Form CCC-152-3) and schedule of any purchases from CCC assigned for use in the processing plant. Prepare separate reports and schedules for each processing plant and for each class of wheat. Report quantities assigned to each processing plant in net bushels. Dockage based on official inspection certificates must be deducted. Complete Form CCC-153 as follows:

A. Enter in Item A1 the total bushels shown in Item 5 of Form CCC-152 prepared as of May 23, 1964, or corrected Form CCC-152, as applicable.

B. Enter the total net bushels in Item A2 of any wheat not designated as non-storable purchased by the processor from CCC for unrestricted use and assigned for use in the processing plant, and on which title was acquired during the period from May 23, 1964, through June 30, 1964. Prepare and attach a schedule in duplicate showing the CCC sales contract number, the name of the ASCS selling office and the net bushels acquired. Enter total of Items A1 and A2 in Item A3.

C. Enter in Item A4 the total net bushels of wheat which were assigned or intended for use in the processing plant as to which there was a transfer of legal title to a buyer, or an intra-company transfer from the plant or reassignment for use other than in the proc-

essing plant or a delivery to a carrier for shipment from the United States during the period from May 23, 1964, to June 30, 1964.

D. Enter in Item B1 the total bushels shown in Item 3 of Form CCC-152, prepared as of May 23, 1964.

E. Enter in Item B2 the total net bushels of wheat received or acquired instore at the processing location during the period from May 23, 1964, through June 30. Such quantity shall be based upon the weights of the wheat received into the elevator at the processing plant location which services the processing plant.

F. Enter in Item D3 the total net bushels of wheat at the processing plant location assigned or intended for use in the processing plant as to which there was a transfer of legal title to a buyer, or an intra-company transfer from the plant, or reassignment for use other than in the processing plant, or a delivery to a carrier for shipment from the United States during the period from May 23, 1964, through June 30, 1964.

G. List on Form CCC-152-3 stocks of owned wheat stored in the elevator at the processing plant location which services the processing plant, and in the processing plant as of June 30, 1964. Determine the quantities of wheat as of June 30, 1964, in the same manner as provided in subparagraph 1C of this instruction for the report as of May 23, 1964. Enter in Item B4 of Form CCC-153, the total net bushels so obtained and shown on Form CCC-152-3. Subtract the sum of the net bushels shown in Items B3 and B4 from the sum of the net bushels shown in Items B1 and B2 and enter the result in Items B5 and A5.

H. Subtract the sum of the net bushels shown in A4 and A5 from the net bushels shown in Item A3 and enter the result in Item A6. The result represents the maximum quantity for which the food processor may acquire transition certificates for use at the particular processing plant. The certificate shall be executed and dated by an authorized official of the food processor. Enter your processing plant code in the space provided. Submit the original and one copy of Forms CCC-153 and CCC-152-3 and the schedule of any wheat purchased from CCC. Retain a copy in your files.

[F.R. Doc. 64-4801; Filed, May 12, 1964;
8:50 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 511—POSITION CLASSIFICATION UNDER THE CLASSIFICATION ACT SYSTEM

PART 534—PAY UNDER OTHER SYSTEMS

Miscellaneous Amendments

Section 511.201(b) is amended to show the exclusion from Part 511 and the Classification Act of 1949, as amended, of certain hospital recreation students in the Department of Health, Education, and Welfare. Section 534.202(b) is amended to show the exclusion from the Federal Employees Pay Act and the Classification Act, and the maximum stipend prescribed for, certain hospital recreation students in the Department of Health, Education, and Welfare. Effective on May 15, 1964, §§ 511.201(b) and 534.202(b) are amended as set out below:

1. The following item is added to paragraph (b) of section 511.201 as set out below.

§ 511.201 Coverage of and exclusions from the Classification Act.

(b) *Exclusions.*

Hospital recreation students, Department of Health, Education, and Welfare, approved training after a minimum of three years' college level training.

(Sec. 3, 61 Stat. 727 and sec. 1101, 63 Stat. 971; 5 U.S.C. 1052, 1072)

2. The following item is added to paragraph (b) of § 534.202 as set out below.

§ 534.202 Maximum stipends.

(b) *

Hospital recreation students, Department of Health, Education, and Welfare: Approved training after a minimum of 3 years' college level training

(Secs. 1, 2, 3, 61 Stat. 727; 5 U.S.C. 902, 1051, 1052)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] **MARY V. WENZEL,**
Executive Assistant to the Commissioners.

[F.R. Doc. 64-4770; Filed, May 12, 1964; 8:49 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS.

Records and Fees

The following amendment to Chapter I of Title 8 of the Code of Federal Regulations is hereby prescribed:

The first sentence of paragraph (a) *Authority to release information and certify records* of § 103.7 *Records and fees* is amended to read as follows:

§ 103.7 Records and fees.

(a) *Authority to release information and certify records.*

The Commissioner, regional commissioners, associate commissioners, deputy associate commissioners, assistant commissioners, the General Counsel, and district directors may furnish, upon application therefor, copies of Service records, or information therefrom, or upon application therefor by any person who has submitted data or evidence to the Service, they may furnish him with a copy of any document submitted by him or of any transcript made of his evidence, and may certify that any record is a true copy.

(Sec. 103, 66 Stat. 173; 5 U.S.C. 1103)

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

REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rule prescribed by the order confers a benefit upon persons affected thereby.

Dated: May 8, 1964.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 64-4766; Filed, May 12, 1964; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-407]

PART 222—AIR CARGO PICKUP AND DELIVERY ZONES; FILING OF TARIFFS; APPLICATION FOR AUTHORITY TO FILE

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 28th day of April 1964.

By notice of proposed rule making, 26 F.R. 8037, and Economic Draft Release No. 33, Docket 12951, the Board announced it had under consideration a new Part 222 of the Economic Regulations relating to the determination of zones for air cargo pickup and delivery services which may be provided pursuant to appropriate tariff filings. Therein the Board described the current practice under which an air carrier decides at which locations it wishes to provide pickup and delivery service (if at all) in and around a particular point certificated to receive air service, and files a pickup and delivery tariff with the Board setting them out. In deciding whether to accept or reject the tariff, the Board has used distance criteria. Generally speaking, tariff proposals for pickup and delivery service at distances extending beyond 25 miles either from the airport through which the carrier serves the particular point, or from the corporate limits of the city, have not been regarded as acceptable. In a number of instances, tariffs providing for services substantially beyond a 25-mile limit have been permitted to become effective, particularly at the more important certificated points.

The notice stated that the procedure of regulating terminal area services through tariff rejections under the 25-mile rule of thumb has been challenged both on a procedural basis as well as with respect to substantive validity. In that connection, the Board noted the differing views of the various classes of air carriers which had been previously solicited as to the need for changes in the Board's air cargo pickup and delivery tariff procedures and policy.

The Board sought comments on a proposed rule which contemplated the acceptance of pickup and delivery tariffs

for services (a) within an area of 50 miles of the municipal center of any point receiving air service, and (b) within any "authorized pickup and delivery zone" as might be specifically established by the Board for the major air cargo generating points. It also contemplated an application procedure under which pickup and delivery service could be considered to locations which had not been previously authorized pursuant to (a) and (b) above.

The Board's notice adverted to the jurisdictions of the Civil Aeronautics Board and the Interstate Commerce Commission in relation to air cargo pickup and delivery services. The Board's jurisdiction is confined to the acceptance or rejection of pickup and delivery tariffs filed under section 403(a) of the Federal Aviation Act as service "in connection with * * * air transportation" while the Interstate Commerce Commission must decide whether such surface transportation is a service which is "incidental to transportation by aircraft" under the Interstate Commerce Act and thus exempted pursuant to section 203(b)(7a) of Part II of that statute, or alternatively, whether a certificate of public convenience and necessity must be issued by that Commission authorizing such service. The notice stated that obviously the Board and the Commission should strive to administer the respective Acts so that there is no undue conflict between what the Board considers "service in connection with * * * air transportation" and what the Commission considers service "incidental to transportation by aircraft." In this connection, the Interstate Commerce Commission instituted a rulemaking proceeding in October 1961¹ to determine and prescribe by regulation the circumstances under which, and the areas or distances within which, the motor carriage of property in interstate or foreign commerce is transportation incidental to transportation by aircraft within the meaning of section 203(b)(7a) of the Interstate Commerce Act.

In his Transportation Message to Congress of April 5, 1962, the President stated that he was "requesting the Chairmen of the Civil Aeronautics Board, the Interstate Commerce Commission, and the Federal Maritime Commission, to meet at frequent intervals to discuss regulatory problems affecting the various modes of transportation and to seek coordinated solutions in the form of legislative or administrative action that will improve the regulatory process." Pursuant to the request, inter-agency committees have been established on Terminal Area matters and Freight Forwarder matters, and meetings for the consideration of their problems have been held on the Commission and staff levels.

In the Board's rulemaking proceeding, extensive comments were received as a result of the original notice and a supplemental notice, dated February 5, 1963, which sought specific information as to the adequacy of ICC licensed trucker

¹Motor Transportation of Property Incidental to Transportation by Aircraft (No. MC-C-3437).

services for air cargo pickup and delivery beyond the 25-mile zone.

On the basis of the extensive information which has been made available to the Board, we have reached these conclusions: full development of air cargo transportation depends, in large measure, upon efficient surface transportation; effective customer-oriented pickup and delivery service can best be guaranteed when it is under the control of the direct air carrier or the air freight forwarder; this control can be maintained by the operation of trucks directly by the air carrier and the air freight forwarder or under contract with local cartage agents; and a reasonable amount of freedom for the direct air carriers and air freight forwarders to establish pickup and delivery services and to test their adequacy and economy is vital to prevent a stifling of the potential of air cargo transportation.

There are numerous certificated points which have only limited pickup and delivery services or where such service extends to the corporate limits of the community or only slightly beyond. This situation apparently reflects the current limited use of air cargo at these points. For these communities, it is clear that the Board's present procedure of accepting tariffs under the 25-mile rule of thumb is adequate and raises no significant regulatory question for either the CAB or the ICC.

We therefore need be concerned with only the relatively few major air cargo generating points—where today effective tariffs on file with the Board provide for extensive pickup and delivery services which, in several cases, go well beyond the 25-mile rule-of-thumb area. In those instances where true pickup and delivery services are provided in relatively small vans or straight trucks and geared to air carrier schedules, such services appear to constitute "service in connection with air transportation," and we have no reason to believe that such tariffs are not properly filed. Furthermore, to the extent that additional direct air carriers or air freight forwarders desire to file pickup and delivery tariffs of their own proposing similar service in these areas, they will also be accepted.

There remains the question of considering any requests by direct air carriers or air freight forwarders for extension of pickup and delivery services beyond the areas covered by existing tariffs or the established 25-mile rule-of-thumb area. The Board believes that this should be considered only on the basis of an application procedure (similar to that set forth in our notice of proposed rulemaking) which would provide for notice to and comments by interested persons. The Board will consider any such requests in the light of whether the proposed service is truly air cargo pickup and delivery with the use of specialized equipment (vans or straight trucks) and geared to meeting airline schedules and oriented to customer air transportation needs, as distinguished from line-haul or over-the-road surface transport. The Board would receive and consider any comments by over-the-road truckers and particu-

larly any evidence as to whether the proposed service is in the nature of surface line haul.

Subsequent acceptance by the Board of air cargo pickup and delivery tariffs under these standards would not, of course, interfere with the freedom of the ICC to determine whether the related motor transportation did or did not come within the section 203(b) (7a) exemption. The Board anticipates, however, that the ICC will give due and appropriate weight to the Board's findings that the contemplated services are truly air cargo pickup and delivery in nature, as it does today.

In consideration of the foregoing, the Civil Aeronautics Board hereby adopts, effective June 12, 1964, new Part 222 of its regulations (14 CFR Part 222), to read as follows:

- Sec.
222.1 Applicability.
222.2 Filing of tariffs
222.3 Service to locations not previously authorized.

§ 222.1 Applicability.

This part is applicable to the provision of pickup and delivery services in connection with air transportation of property at any point within the United States or its territories and possessions by any carrier subject to Part 221 of the Board's Economic Regulations.

§ 222.2 Filing of tariffs.

In accordance with the provisions of Part 221 and this regulation, each carrier shall file tariffs covering all pickup and delivery services offered. Such tariffs will be accepted for filing if they meet the requirements of Part 221 of this subchapter and (a) provide for service to places which are not located beyond a radius of 25 miles of the airport or of the city limits of the certificated point, or (b) provide for service to places or areas included in other currently effective pickup and delivery tariffs on file with the Board, or (c) are authorized upon application of the carrier filed in accordance with § 222.3. A certification shall accompany each tariff filing identifying the category within which each pickup and delivery service falls.

§ 222.3 Service to locations not previously authorized.

(a) *Application.* If a carrier, subject to this part, desires to file a tariff providing for pickup and delivery service to any location(s) not authorized by § 222.2, such carrier shall file with the Board a written application for authority to do so. Such application, in an executed original and nineteen copies, shall be conspicuously entitled "Application for Tariff-filing Authority: Pickup and Delivery Zone"; shall clearly identify the location(s) for which tariff-filing authority is requested; shall state the reasons why service to such location(s) is deemed appropriate and set forth economic data and other facts relied upon; shall contain a notice that persons served may, within 15 days, file and serve an answer in support of or in opposition to the application; shall set forth the names and addresses of the persons required to be served and state that service has been

made on all such persons by personal service or by registered or certified mail, and the date of such service. In the case of service by mail, the date of mailing shall be considered the date of service. Each copy of an application served pursuant to this part shall state that such service is made pursuant to Part 222 of the Civil Aeronautics Board's Economic Regulations.

(b) *Service of application.* A copy of each application shall be served upon such persons as the Board may designate in a particular case, and in all cases shall be served upon each scheduled air carrier and air freight forwarder which regularly renders service to or from a point involved, and upon the Secretary, Interstate Commerce Commission, Washington, D.C. The Board shall also publish notice of the application in the FEDERAL REGISTER.

(c) *Answers.* Any interested person may file an answer with the Docket Section of the Board in opposition to or in support of an application. In the case of persons served by the applicant under paragraph (b) of this section, answers shall be filed no later than 15 days after the filing of the application. In the case of other interested persons, answers shall be filed no later than 15 days after publication of notice of the application in the FEDERAL REGISTER. An answer shall be filed in an executed original and nineteen copies. It shall set forth in detail the reasons for the position taken and include such economic data and facts as are relied upon. It shall also be served upon the applicant and state the date of such service. Unless ordered by the Board upon application or upon its own motion, further pleadings will not be entertained.

(d) *Order of approval.* Tariffs to which this paragraph relates shall not be filed unless and until the Board by order approves the application finding that the proposed tariff involves service in connection with air transportation.

(e) *Effectiveness of authority.* Authority to include any location(s) in a pick-up and delivery tariff granted pursuant to the procedure of this section shall be subject to revision or revocation without evidentiary hearing.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. § 1324. Interpret or apply sec. 403; 72 Stat. 758, as amended by 74 Stat. 445; 49 U.S.C. § 1373)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64-4771; Filed, May 12, 1964; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket No. 8100 o.]

PART 13—PROHIBITED TRADE PRACTICES

ATD Catalogs, Inc., et al.

Subpart—Discriminating in price under section 5, Federal Trade Commis-

sion Act: § 13.892 Knowingly inducing or receiving discriminating payments.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpretations or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, ATD Catalogs, Inc. (New York, N.Y.) et al., Docket 8259, Apr. 3, 1964]

In the Matter of ATD Catalogs, Inc., a Corporation, and N. Irwin Shapiro, Lee Hildebrand, Jay Mills, George Kahn, and Jack R. Koffman, Individually and as Officers and Directors of ATD Catalogs, Inc.; Harold L. Cantor, Marvin C. Miner, Harold Bortz, Stanley P. Shapiro, and Ernest H. Coonrod, Individually and as Directors of ATD Catalogs, Inc.; Acme Premium Supply Corporation, a Corporation; The Buckeye Paper & Specialties Company, a Corporation; James V. Cariddi, Doing Business as Cariddi Sales Company; Harold L. Cantor, and Willard S. Cantor, Doing Business as H & W Cantor; Hilb & Co., Inc., a Corporation

Orders requiring New York City association of toy wholesale distributors, its members and officers, engaged in publishing and distributing to retailers annual catalogs illustrating toys, to cease violating the Federal Trade Commission Act by inducing and receiving from toy suppliers payments for advertising furnished by respondents in such catalogs or other publications in connection with the sale of suppliers' products, when they knew, or should have known that comparable payments were not offered to all other customers of the suppliers.

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

It is ordered, That N. Irwin Shapiro and Stanley P. Shapiro, individually, and their agents, representatives or employees, directly or through any corporate device in or in connection with any purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Inducing and receiving, or receiving, the payment of anything of value to or for the benefit of any toy wholesaler, as compensation or in consideration for any services or facilities consisting of advertising or other publicity furnished by or through respondents, or any of them, or any toy wholesalers in a toy catalog, handbill, circular, or any other printed publication, serving the purpose of a buying guide, distributed, directly or through any corporate or other device, by said respondents, or any of them, or any toy wholesalers, in connection with the processing, handling, sale or offering for sale, of any toy, game or hobby products manufactured, sold, or offered for sale by the manufacturer or supplier, when said respondents know or should know that such payment or consideration is not made available on proportionally equal terms to all other customers competing with the toy wholesalers to whom or for whose benefit such payments are made in the distribution of such toy, game, or hobby products.

It is further ordered, That the complaint as to respondents, Harold Bortz, individually and as a director of ATD, Acme Premium Supply Corporation, a

corporation, The Buckeye Paper & Specialties Company, a corporation, Hilb & Co., Inc., a corporation, Nathan Goldman, Lane Kaufman and James C. Abro, doing business as Nathan Goldman and Company, Lewis O. Büchwach, Herbert J. Shapiro, Robert M. Bodner and Herbert L. Bodner, doing business as Northern Specialty-Sales Company, William S. Davis, George P. Alton, Leon H. Davis, Natalie Sosnick, Frances Goldfarb, Lilla Schmulowitz and Henry Charles Alton, doing business as Oakland Stationery & Toy Co., Reuben Sann, doing business as Sann Sales Company, Sawyer-Barker Co., a corporation, Stanley Toy & Novelty Company, Incorporated, a corporation, Tampa Novelty Company, Inc., a corporation, and Harold F. Anderson and Frank L. Beeler, doing business as V. & A. Distributing Co., be and it hereby is, dismissed.

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

The following order to cease and desist is directed against the following named respondents and other persons described or indicated: Stanley Toy & Novelty Company, Incorporated, Hilb & Co., Inc., The Buckeye Paper & Specialties Company and the officers and directors of each of the aforesaid corporations; Nathan Goldman and James C. Abro, copartners doing business as Nathan Goldman and Company; William S. Davis, George P. Alton, Leon H. Davis, Natalie Sosnick, Frances Goldfarb and Lilla Schmulowitz, doing business as Oakland Toy Company; Reuben Sann, doing business as Sann Sales Company; N. Irwin Shapiro, individually and as an officer and director of ATD Catalogs, Inc.; Stanley P. Shapiro, and Harold Bortz, individually and as directors of ATD Catalogs, Inc.; their agents, employees, etc.; also the respective representatives, agents, and employees of the foregoing corporate and individual respondents, acting directly or through any corporate or other device.

It is ordered, That each of the foregoing respondents named, whether (1) a jobber having an unfavored competitor, (2) a jobber having no unfavored competitor, or (3) an individual formerly with ATD Catalogs, Inc., and (4) any other person hereinbefore described or indicated, such as agent, employee, officer, or director, shall, in or in connection with any purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, forthwith cease and desist, individually or in collaboration with others, from inducing or receiving a payment or payments in any respect as to which the following by its wording may apply to the particular respondent or other person concerned and hereby ordered to cease and desist from:

Inducing the payment of anything of value to or for the benefit of a respondent jobber, or other toy jobber engaged in commerce, where the respondent or other

jobber receives the benefit, or receiving the benefit of such payment, where such payment is in compensation or consideration for any services or facilities consisting of advertising or other publicity furnished by or through such respondent or other toy jobber receiving said benefit, in a toy catalog, handbill, circular, or any other printed publication, serving the purpose of a buying guide, distributed, directly or through any corporate or other device, by such respondent or other toy jobber, in connection with the processing, handling, sale, or offering for sale, of any toy, game or hobby product manufactured, sold, or offered for sale by the manufacturer or supplier, when the respondent or other person herein ordered to cease and desist knows or should know that such payment or consideration is not made available on proportionally equal terms to all other customers competing with the respondent or other toy jobber receiving the benefit, in the distribution of such toy, game or hobby products.

It is further ordered, That "toy jobber" or "jobber", as used herein, includes an individual doing business as a partner, or under a trade name, of a jobber concern, and also includes a "toy, game, and hobby" jobber.

The following order was entered by consent:

It is ordered, That respondents ATD Catalogs, Inc., Hoffman Sales & Distributing Co., Inc., The Jay Mills Company, M & A Wares Co., Inc., M. C. Miner, Inc., West Texas Wholesale of Amarillo, Inc., Jay Mills, George Kahn, Jack R. Hoffman, Marvin C. Miner, Ernest H. Coonrod, James V. Cariddi, Harold L. Cantor, Willard S. Cantor, Lee Hildebrand, Sidney Hildebrand, Jacob Hildebrand, The S & M Company, Morris Paper Company, and Southland Distributors, Inc.; and their respective representatives, agents and employees directly or through any corporate or other device in or in connection with any purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Inducing, receiving or contracting for the receipt of anything of value as payment for or in consideration for advertising or other services or facilities furnished by or through respondents in connection with the processing, handling, sale, or offering for sale of toy, game, and hobby products manufactured, sold, or offered for sale by the supplier, when the respective respondents know or should know that such payment or consideration is not made available by such supplier on proportionally equal terms to all its other customers competing with the respective respondents in the distribution of such products.

It is further ordered, That respondents ATD Catalogs, Inc., Hoffman Sales & Distributing Co., Inc., The Jay Mills Company, M&A Wares Co., Inc., M. C. Miner, West Texas Wholesale of Amarillo, Inc., Jay Mills, George Kahn, Jack R. Hoffman, Marvin C. Miner, Ernest H. Coonrod, James V. Cariddi, Harold L. Cantor, Willard S. Cantor, Lee Hildebrand, Sidney Hildebrand, Jacob Hildebrand, The S&M Company, Morris

Paper Company, and Southland Distributors, Inc., shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

It is further ordered, That the respondents [in the preceding paragraph] named in the order filed with the initial decision of June 13, 1962, if they so desire, may, within sixty (60) days after service of this order upon them, request modification of the order in the light of the Commission's decisions in Individualized Catalogues, Inc., et al., Docket No. 7971, Santa's Playthings, Inc., et al., Docket No. 8259, ATD Catalogs, Inc., et al., Docket No. 8100, and Billy & Ruth Promotion, Inc., et al., Docket No. 8240. Such a request will stay the time within which respondents would otherwise be required to file a report of compliance.

Issued: April 3, 1964.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-4736; Filed, May 12, 1964;
8:45 a.m.]

[Docket 7850]

PART 13—PROHIBITED TRADE PRACTICES

Purolator Products, Inc.

Subpart—Discriminating in price under section 2, Clayton Act—Price discrimination under 2(a): § 13.700 *Arbitrary or improper functional discounts*; § 13.795 *Warehouse rental and service*. (Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Purolator Products, Inc., Rahway, N.J., Docket 7850, Apr. 3, 1964]

Order requiring a manufacturer of air, oil and fuel filters for trucks and automobiles, with nation-wide distribution and net sales in 1957 in excess of \$37,000,000, to cease discriminating in price in violation of section 2(a) of the Clayton Act by such practices as giving favored warehouse distributors "redistribution" discounts not granted to competing warehouse distributors and jobbers, on sales of its automotive replacement filters.

The order to cease and desist is as follows:

It is ordered, That respondent Purolator Products, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in or in connection with the sale, for replacement purposes, of automotive replacement filters, in commerce as "commerce" is defined in the Clayton Act, do forthwith cease and desist from:

Selling to any direct or indirect purchaser at net prices higher than the net prices charged to any other purchaser, direct or indirect, who in fact competes with the purchaser paying the higher price in the resale and distribution of respondent's replacement filters.

By "Final Order", order requiring report of compliance is as follows:

It is further ordered, That the respondent herein shall, within sixty (60)

days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this order.

Issued: April 3, 1964.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-4737; Filed, May 12, 1964;
8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

STYRENE-DIVINYLBENZENE CROSS-LINKED COPOLYMER RESINS

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 629) filed by American Enka Corporation, Enka, North Carolina, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of styrene-divinylbenzene cross-linked copolymer resins as articles or components of articles intended for repeated use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c) (1), 72 Stat. 1786; 21 U.S.C. 348(c) (1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), the food additive regulations are amended by adding to Subpart F the following new section:

§ 121.2584 Styrene-divinylbenzene cross-linked copolymer resins.

Styrene-divinylbenzene cross-linked copolymer resins may be safely used as articles or components of articles intended for repeated use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food, in accordance with the following prescribed conditions:

(a) The resins are produced by the copolymerization of styrene with divinylbenzene.

(b) The resins meet the extractives limitations prescribed in this paragraph:

(1) The resins to be tested are ground or cut into small particles that will pass through a U.S. standard sieve No. 3 and that will be held on a U.S. standard sieve No. 20.

(2) A 100-gram sample of the resins, when extracted with 100 milliliters of ethyl acetate at reflux temperature for 1 hour, yields total extractives not to exceed 1.0 percent by weight of the resins.

(c) In accordance with good manufacturing practice, finished articles containing the resins shall be thoroughly cleansed prior to their first use in contact with food.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER 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 the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

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

(Sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348 (c) (1))

Dated: May 7, 1964.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 64-4765; Filed, May 12, 1964;
8:48 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER D—RENTAL HOUSING INSURANCE

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

In § 207.19 paragraphs (f) (3) and (h) are amended to read as follows:

§ 207.19 Required supervision of private mortgages.

(f) *Methods of operation.* * * *

(3) In all projects, except those involving rehabilitation where the mortgage does not exceed \$200,000, a fund for replacements shall be established and maintained with the mortgagee. The amount and type of such fund and the conditions under which it shall be accumulated, replenished, and used, shall be specified in the charter, trust agreement, or regulatory agreement.

(h) *Advance amortization.* (1) If prior to the beginning of amortization net income, as defined by the Commissioner, is received as a result of the rental of the mortgaged property, such net income, to the extent determined by the

Commissioner, shall be applied in one or more of the following ways:

- (i) To advance amortization.
- (ii) To offset the cost of approved capital improvements.
- (iii) To be deposited in the reserve fund for replacement and to be held as a reserve in addition to the monthly deposits required by the regulatory agreement.

(2) The provisions of subparagraph (1) of this paragraph shall be applicable to commitments issued on or after December 3, 1963, and to commitments outstanding on that date where the mortgage has not received final endorsement. The provisions of subparagraph (1) of this paragraph shall not be applicable to a project involving rehabilitation where the mortgage does not exceed \$200,000.

In § 207.36 the introductory text is amended and designated as paragraph (a), the present paragraphs (a), (b), (c) and (d) are redesignated as subparagraphs (1), (2), (3) and (4), respectively, and a new paragraph (b) is added as follows:

§ 207.36 Title evidence.

(a) Upon insurance of the mortgage, the mortgagee shall furnish to the Commissioner a survey, satisfactory to him, and a policy of title insurance as provided in subparagraph (1) of this paragraph. If, for reasons the Commissioner deems satisfactory, title insurance cannot be furnished under subparagraph (1) of this paragraph, the mortgagee shall furnish evidence of title in accordance with subparagraph (2), (3) or (4) of this paragraph, as the Commissioner may require. Any survey, policy of title insurance, or evidence of title required under this section shall be furnished without expense to the Commissioner. The types of title evidence are:

(b) The survey required by paragraph (a) of this section need not be furnished in connection with a project involving rehabilitation where the mortgage does not exceed \$200,000.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

In Part 213 in the Table of Contents a new § 213.46 is added as follows:

Sec. 213.46 Actions by Commissioner.

Subpart A—Eligibility Requirements—Projects

In § 213.30 paragraph (c) is amended to read as follows:

§ 213.30 Methods of operation.

(c) In all projects, except those involving rehabilitation where the mortgage does not exceed \$200,000, a fund for replacements shall be established and

maintained with the mortgagee so long as the mortgage insurance is in force. The amount and type of such fund and the conditions under which it shall be accumulated, replenished, and used, shall be specified in the charter.

In § 213.44 the introductory text is amended and designated as paragraph (a), the present paragraphs (a), (b), (c) and (d) are redesignated as subparagraphs (1), (2), (3) and (4), respectively, and a new paragraph (b) is added as follows:

§ 213.44 Title evidence.

(a) Upon insurance of the mortgage, the mortgagee shall furnish to the Commissioner a survey, satisfactory to him, and a policy of title insurance as provided in subparagraph (1) of this paragraph. If, for reasons the Commissioner deems satisfactory, title insurance cannot be furnished under subparagraph (1) of this paragraph, the mortgagee shall furnish evidence of title in accordance with subparagraph (2), (3) or (4) of this paragraph, as the Commissioner may require. Any survey, policy of title insurance, or evidence of title required under this section shall be furnished without expense to the Commissioner. The types of title evidence are:

(b) The survey required by paragraph (a) of this section need not be furnished in connection with a project involving rehabilitation where the mortgage does not exceed \$200,000.

In Part 213 a new § 213.46 preceded by a centered heading "Extension of Time" is added as follows:

EXTENSION OF TIME

§ 213.46 Actions by Commissioner.

Where the mortgagee or lender has failed to take action within the period of time required in order to prevent the expiration of a commitment or in order to reopen an expired commitment, the Commissioner may extend such period and may retroactively reinstate or reopen such commitment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

In Part 220 in the Table of Contents, the appropriate section heading is amended as follows:

Sec. 220.525 Mortgages of \$200,000 or less involving rehabilitation.

Subpart C—Eligibility Requirements—Projects

In § 220.501 paragraph (a) is amended by deleting from the listed provisions the following:

§ 220.501 Incorporation by reference.

(a) * * *

Sec. 207.29 Rehabilitation projects.

Section 220.513 is amended to read as follows:

§ 220.513 Builder's and sponsor's profit and risk allowance.

(a) *Identity of interest cases.* In those instances where it is determined by the Commissioner that an identity of interest exists between the mortgagor and the builder or contractor, the term "actual cost" shall include an allowance for builder's and sponsor's profit and risk. This allowance shall be in lieu of any allowance for a "builder's fixed-fee" provided in § 207.27(a) of this chapter. The allowance shall be 10 percent of the actual cost excluding in all cases the cost of land or any amount paid for a leasehold. If the mortgage is to assist the financing of repair or rehabilitation, an additional amount shall be excluded equal to the sum of the following two items:

(1) The value of the land and improvements prior to repair or rehabilitation.

(2) Any amount of the mortgage proceeds used to refinance an outstanding indebtedness on the property.

(b) *Nonidentity of interest cases.* In those instances where it is determined by the Commissioner that no identity of interest exists between the mortgagor and the builder or contractor, the term "actual cost" shall include an allowance for sponsor's profit and risk. This allowance shall be in addition to the allowance for "builder's fixed-fee" provided in § 207.27(a) of this chapter. The allowance shall be 10 percent of the actual cost excluding the following items:

(1) Amounts paid by the mortgagor under a construction contract.

(2) Cost of land or any amount paid for a leasehold.

(3) If the mortgage is to assist the financing or repair or rehabilitation, the sum of the following two items:

(i) The value of the land and improvements prior to repair or rehabilitation.

(ii) Any amount of the mortgage proceeds used to refinance an outstanding indebtedness on the property.

In § 220.525 the section heading is amended and paragraphs (d), (e), and (f) are revoked as follows:

§ 220.525 Mortgages of \$200,000 or less involving rehabilitation.

(d) *Cost certification requirements.* [Revoked].

(e) *Record maintenance and examination.* [Revoked].

(f) *Adjustment resulting from cost certification.* [Revoked].

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

SUBCHAPTER G—HOUSING FOR MODERATE
INCOME AND DISPLACED FAMILIES

**PART 221—LOW COST AND MODERATE
INCOME MORTGAGE INSURANCE**

In Part 221 in the Table of Contents a new § 221.564 is added as follows:

Sec.
221.564 Actions by Commission.

Subpart C—Eligibility Requirements—Moderate Income Projects

In § 221.530 paragraph (c) is amended to read as follows:

§ 221.530 Supervision applicable to all mortgagors.

(c) In all projects, except those involving rehabilitation where the mortgage does not exceed \$200,000, a fund for replacements shall be established and maintained with the mortgagee. The amount and type of such fund and the conditions under which it shall be accumulated, replenished, and used, shall be specified in the charter, trust agreement, or regulatory agreement.

In § 221.543 paragraph (b) is amended to read as follows:

§ 221.543 Advance amortization.

(b) The provisions of paragraph (a) of this section shall not apply to cooperative, investor sponsor, or nonprofit mortgagors, or to projects involving rehabilitation where the mortgage does not exceed \$200,000.

In § 221.563 the introductory text is amended and designated as paragraph (a), the present paragraphs (a), (b), (c) and (d) are redesignated as subparagraphs (1), (2), (3) and (4), respectively, and a new paragraph (b) is added as follows:

§ 221.563 Title evidence.

(a) Upon insurance of the mortgage, the mortgagee shall furnish to the Commissioner a survey, satisfactory to him, and a policy of title insurance as provided in subparagraph (1) of this paragraph. If, for reasons the Commissioner deems satisfactory, title insurance cannot be furnished under subparagraph (1) of this paragraph, the mortgagee shall furnish evidence of title in accordance with subparagraph (2), (3) or (4) of this paragraph, as the Commissioner may require. Any survey, policy of title insurance, or evidence of title required under this section shall be furnished without expense to the Commissioner. The types of title evidence are:

(b) The survey required by paragraph (a) of this section need not be furnished in connection with a project involving rehabilitation where the mortgage does not exceed \$200,000.

In Part 221 a new § 221.564 preceded by a centered heading "Extension of Time" is added as follows:

EXTENSION OF TIME

§ 221.564 Actions by Commissioner.

Where the mortgagee or lender has failed to take action within the period of time required in order to prevent the expiration of a commitment or in order to reopen an expired commitment, the Commissioner may extend such period and may retroactively reinstate or reopen such commitment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715f)

Issued at Washington, D.C., May 7, 1964.

[SEAL] PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 64-4772; Filed, May 12, 1964; 8:50 a.m.]

Title 26—INTERNAL REVENUE

**Chapter I—Internal Revenue Service,
Department of the Treasury**

SUBCHAPTER A—INCOME TAX

[T.D. 6732]

**PART 1—INCOME TAX; TAXABLE
YEARS BEGINNING AFTER DE-
CEMBER 31, 1953**

**Deductions for Charitable
Contributions**

On October 1, 1963, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under section 170 of the Internal Revenue Code of 1954 (relating to deductions for charitable contributions) to reflect the changes made by section 2 of the Act of October 23, 1962 (Public Law 87-858, 76 Stat. 1134), was published in the FEDERAL REGISTER (28 F.R. 10520). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted, subject to the change set forth below:

Paragraph (b) (3) of § 1.170-2, as set forth in the notice of proposed rule making, is changed by revising subdivision (ii) (a).

This Treasury decision is issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] D. W. BACON,
Acting Commissioner of
Internal Revenue.

Approved: May 8, 1964.

STANLEY S. SURREY,
Assistant Secretary of the
Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under section 170 of the Internal Revenue Code of 1954, relating to deductions for charitable contributions, to section 2 of the Act of October 23, 1962 (Public Law 87-

858, 76 Stat. 1134), such regulations are amended as follows:

PARAGRAPH 1. Section 1.170 is amended by revising subparagraphs (A) and (B) of paragraph (1) of section 170(b) and by revising the historical note. These amended provisions and the historical note read as follows:

§ 1.170 Statutory provisions; charitable, etc., contributions and gifts.

Sec. 170. Charitable, etc., contributions and gifts.

(b) *Limitations*—(1) *Individuals*. In the case of an individual the deduction provided in subsection (a) shall be limited as provided in subparagraphs (A), (B), (C), and (D).

(A) *Special rule*. Any charitable contribution to—

(i) A church or a convention or association of churches,

(ii) An educational organization referred to in section 503(b)(2),

(iii) A hospital referred to in section 503(b)(5), or to a medical research organization (referred to in section 503(b)(5)) directly engaged in the continuous active conduct of medical research in conjunction with a hospital, if during the calendar year in which the contribution is made such organization is committed to spend such contributions for such research before January 1 of the fifth calendar year which begins after the date such contribution is made, or

(iv) An organization referred to in section 503(b)(3) organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of a college or university which is an organization referred to in clause (i) of this subparagraph and which is an agency or instrumentality of a State or political subdivision thereof, or which is owned or operated by a State or political subdivision thereof or by an agency or instrumentality of one or more States or political subdivisions,

shall be allowed to the extent that the aggregate of such contributions does not exceed 10 percent of the taxpayer's adjusted gross income computed without regard to any net operating loss carryback to the taxable year under section 172.

(B) *General limitation*. The total deductions under subsection (a) for any taxable year shall not exceed 20 percent of the taxpayer's adjusted gross income computed without regard to any net operating loss carryback to the taxable year under section 172. For purposes of this subparagraph, the deduction under subsection (a) shall be computed without regard to any deduction allowed under subparagraph (A) but shall take into account any charitable contributions described in subparagraph (A) which are in excess of the amount allowable as a deduction under subparagraph (A).

[Sec. 170 as amended by sec. 1, Act of Aug. 7, 1956 (Pub. Law 1022, 84th Cong., 70 Stat. 1117); secs. 10, 11, and 12, Technical Amendments Act 1958 (72 Stat. 1609-1610); sec. 7 (a), Act of Sept. 14, 1960 (Pub. Law 86-779, 74 Stat. 1002); sec. 2, Act of Oct. 23, 1962 (Pub. Law 87-858, 76 Stat. 1134)]

PAR. 2. Paragraph (b) of § 1.170-2 is amended by revising subparagraph (1) and subparagraph (3), including the heading thereof. These amended provisions read as follows:

§ 1.170-2 Charitable deductions by individuals; limitations.

(b) **Additional 10-percent deduction—**
 (1) **In general.** In addition to the deduction which may be allowed for contributions subject to the general 20-percent limitation, an individual may deduct charitable contributions made during the taxable year to the organizations specified in section 170(b)(1)(A) to the extent that such contributions in the aggregate do not exceed 10 percent of his adjusted gross income (computed without regard to any net operating loss carryback to the taxable year under section 172). The additional 10-percent deduction may be allowed with respect to contributions to—

- (i) A church or a convention or association of churches,
- (ii) An educational organization referred to in section 503(b)(2) and defined in subparagraph (3)(i) of this paragraph,
- (iii) A hospital referred to in section 503(b)(5) and defined in subparagraph (4)(i) of this paragraph,
- (iv) Subject to certain conditions and limitations set forth in subparagraph (4)(ii) of this paragraph, and for taxable years beginning after December 31, 1955, a medical research organization referred to in section 503(b)(5), and
- (v) Subject to certain limitations and conditions set forth in subparagraph (3)(ii) of this paragraph, and for taxable years beginning after December 31, 1960, an organization referred to in section 503(b)(3) which is organized and operated for the benefit of certain State and municipal colleges and universities.

To qualify for the additional 10-percent deduction the contribution must be made "to," and not merely "for the use of", one of the specified organizations. A contribution made to a trust, community chest, or other organization referred to in section 170(c), which in turn makes the contribution available to a church, school, hospital, medical research organization, or organization for the benefit of certain State or municipal colleges or universities, will not qualify under the 10-percent limitation unless such trust, community chest, or other organization acts merely as an agent of the taxpayer in delivering the contribution. The computation of this additional deduction is not necessary unless the total contributions paid during the taxable year are in excess of the general 20-percent limitation. Where the total contributions exceed the 20-percent limitation, the taxpayer should first ascertain the amount of charitable contributions subject to the 10-percent limitation, and any excess over the 10-percent limitation should then be added to all other contributions and limited by the 20-percent limitation.

(3) **Educational organization and organizations for the benefit of certain State and municipal colleges and universities—**(i) **Educational organization.** An "educational organization" within the meaning of section 170(b)(1)(A) is one whose primary function is the presentation of formal instruction and which normally maintains a regular faculty and curriculum and normally has a reg-

ularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on. The term, therefore, includes institutions such as primary, secondary, preparatory, or high schools, and colleges and universities. It includes Federal, State, and other public-supported schools which otherwise come within the definition. It does not include organizations engaged in both educational and noneducational activities unless the latter are merely incidental to and growing out of the educational activities. A recognized university which incidentally operates a museum or sponsors concerts is an educational organization. However, the operation of a school by a museum does not necessarily qualify the museum as an educational organization. A gift to an educational institution through an alumni association or a class organization, which acts simply as a fund-raising or collection agency through which gifts may be made currently to the institution, is a gift to the educational organization if the entire gift inures to its benefit, but not if any part of it inures to the general or operating fund of the agency. Similarly, a gift to one or more educational institutions through an association of educational institutions will be considered a gift to the institutions if it inures entirely to their benefit.

(ii) **Organizations for the benefit of certain State and municipal colleges and universities.** (a) For taxable years beginning after December 31, 1960, gifts made to an organization referred to in section 503(b)(3) organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of certain colleges and universities, may be taken into account in computing the additional 10-percent limitation. The phrase "expenditures to or for the benefit of certain colleges and universities" includes expenditures made for any one or more of the normally accepted functions of colleges and universities, for example, for the acquisition and maintenance of real property comprising part of the campus area, the erection of or participation in the erection of college or university buildings, scholarships, libraries, student loans, and the acquisition and maintenance of equipment and furnishings used for or in conjunction with normally accepted functions of colleges and universities.

(b) The recipient organization must be one which normally receives a substantial portion of its support from the United States or any State or political subdivision thereof or from direct or indirect contributions from the general public, or from a combination of two or more of such sources. An example of an indirect contribution from the public would be the receipt by the organization of its share of the proceeds of an annual collection campaign of a community chest, community fund, or united fund.

(c) The college or university (including land grant colleges and universities) to be benefited must be an educational organization referred to in section 170(b)(1)(A)(ii) and subdivision (i) of this subparagraph; and must be an agency

or instrumentality of a State or political subdivision thereof, or must be owned or operated by a State or political subdivision thereof or by an agency or instrumentality of one or more States or political subdivisions.

[F.R. Doc. 64-4778; Filed, May 12, 1964; 8:49 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

Importation of and Dealings in Certain Merchandise

Paragraph (a)(1) of § 500.204, as amended May 5, 1964 (29 F.R. 6010, May 7, 1964), is corrected to delete the word "Communist" wherever it appears. As corrected, paragraph (a)(1) reads as follows:

§ 500.204 Importation of and dealings in certain merchandise.

(a) * * *

(1) Merchandise the country of origin of which is China (except Formosa), North Korea, or North Viet-Nam. Articles which are the growth, produce or manufacture of these areas shall be deemed for the purposes of this chapter to be merchandise whose country of origin is China (except Formosa), North Korea, or North Viet-Nam notwithstanding that they may have been subjected to one or any combination of the following processes in another country: (i) Grading; (ii) testing; (iii) checking; (iv) shredding; (v) slicing; (vi) peeling or splitting; (vii) scraping; (viii) cleaning; (ix) washing; (x) soaking; (xi) drying; (xii) cooling, chilling, or refrigerating; (xiii) roasting; (xiv) steaming; (xv) cooking; (xvi) curing; (xvii) combining of fur skins into plates; (xviii) blending; (xix) flavoring; (xx) preserving; (xxi) pickling; (xxii) smoking; (xxiii) dressing; (xxiv) salting; (xxv) dyeing; (xxvi) bleaching; (xxvii) tanning; (xxviii) packing; (xxix) canning; (xxx) labeling; (xxxi) carding; (xxxii) combing; (xxxiii) pressing; (xxxiv) any process similar to any of the foregoing. Any article wheresoever manufactured shall be deemed for the purposes of this chapter to be merchandise whose country of origin is China (except Formosa), North Korea, or North Viet-Nam, if there shall have been added to such article any embroidery, needle point, petit point, lace, or any other article of adornment which is the product of China (except Formosa), North Korea, or North Viet-Nam notwithstanding that such addition to the merchandise may have occurred in a country other than China (except Formosa), North Korea or North Viet-Nam.

[SEAL] MARGARET W. SCHWARTZ,
 Director,
 Foreign Assets Control.

[F.R. Doc. 64-4856; Filed, May 12, 1964; 11:59 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 11—U.S. Coast Guard [CGFR 63-67]

PART 11-7—CONTRACT CLAUSES

Pursuant to authority vested in me as Commandant, United States Coast Guard by Treasury Department Order No. 167-17 (20 F.R. 4976) and Treasury Department Order No. 167-50 (28 F.R. 530) Subpart 11-7.6, 41 CFR is hereby established under authority of 14 U.S.C. 633 and Chapter 137 of Title 10, U.S.C.

Subpart 11-7.6—Fixed-Price Construction Contracts

Sec.	
11-7.600	Scope of subpart.
11-7.602-50	Gratuities.
11-7.602-51	Federal, State and Local taxes.
11-7.602-52	Information regarding Buy American Act.
11-7.602-53	Notice and assistance regarding patent infringement.
11-7.602-54	Authorization and consent.
11-7.602-55	Intent of drawings and specifications.
11-7.602-56	Working drawings.
11-7.602-57	Plan of operation.
11-7.602-58	Space at the site; temporary buildings.
11-7.602-59	Construction stakes.
11-7.602-60	Contracting officer's representative and inspection by the Government.
11-7.602-61	Progress reports.
11-7.602-62	Subcontracts.
11-7.602-63	Index for specifications.
11-7.602-64	Performance of work by contractor.
11-7.602-65	Debris and cleaning.
11-7.602-66	Utilization of small business concerns.
11-7.602-67	Small business subcontracting program.
11-7.602-68	Notice to the Government of labor disputes.
11-7.602-69	Examination of record.
11-7.602-70	Notices and interpretations.
11-7.602-71	Guaranties.
11-7.602-72	Federal specifications.

AUTHORITY: The provisions of this Subpart 11-7.6 issued under 14 U.S.C. 633, 10 U.S.C. Ch. 137.

§ 11-7.600 Scope of subpart.

This subpart sets forth the contract clauses for use when applicable in construction contracts estimated to exceed \$2,000 in addition to those prescribed in Subpart 1-7.6 of this title.

§ 11-7.602-50 Gratuities.

Insert the contract clause set forth in ASPR "32 CFR 7.104-16".

§ 11-7.602-51 Federal, State and local taxes.

In accordance with the requirement of § 1-11.401 of this title insert the clause set forth therein.

§ 11-7.602-52 Information regarding Buy American Act.

In accordance with the requirements of § 1-6.204 of this title insert the clause set forth therein.

§ 11-7.602-53 Notice and assistance regarding patent infringement.

Insert the clause set forth in § 1-7.101-13 of this title in all contracts exceeding \$10,000.

§ 11-7.602-54 Authorization and consent.

Insert the clause set forth in ASPR "32 CFR 9-102" when applicable under the conditions and in the manner set forth therein.

§ 11-7.602-55 Intent of drawings and specifications.

INTENT OF DRAWINGS AND SPECIFICATIONS

The intent of the drawings and contract specifications is to provide for the completion of the work in every detail, as described therein. The contractor shall furnish all labor, material, equipment, tools, transportation, and necessary supplies, such as may be reasonably required to complete the work in accordance with the drawings, specifications, and terms of the contract.

§ 11-7.602-56 Working drawings.

WORKING DRAWINGS

(a) *General.* Drawings, showing such details as are necessary to give a comprehensive idea of the construction contemplated, will be furnished by the Coast Guard. The contractor shall submit to the Coast Guard for approval, such additional shop or working drawings of structures as may be required for the construction of any part of the work; and prior to the approval of such drawings, any work done, or material ordered, shall be at the contractor's risk. Unless otherwise permitted by the contracting officer, shop or working drawings submitted by the contractor shall not exceed the size of the contract drawings. It is expressly understood that the approval by the Coast Guard of the contractor's working drawings relates to the requirements for strength and detail only, and such approval shall not relieve the contractor from responsibility for error in dimensions.

(b) *Details.* Working drawings shall consist of such detail drawings as are not included in the drawings furnished by the Coast Guard and as may be reasonably required for the successful prosecution of the work.

(c) *Types of structures* may include drawings for structural steel work, piping, wiring, falsework or centering, cofferdams, bulkheads, bracing, form work, masonry layout diagrams and diagrams for reinforcement.

(d) *To be furnished by contractor.* The contractor shall furnish the Coast Guard with such blueprint copies of the working drawings as may be required for approval and construction purposes, and, upon completion of the work, the original tracings or satisfactory vandykes from same shall be supplied to the Coast Guard. The contract price shall include the cost of furnishing all such working drawings required, and the contractor will be allowed no extra compensation for such drawings.

§ 11-7.602-57 Plan of operation.

PLAN OF OPERATION

(a) The contractor shall conduct his operations so as to interfere as little as possible with those of workmen employed directly by the Government, or other contractors, subcontractors, or the public on or near the work, or the operations of the Coast Guard unit located where the work is being performed.

(b) The Government may, at any time, and from time to time, during the performance of the work, enter the structure for the purpose of installing any necessary work by Government labor or other contracts and for any purpose in connection with the installation of facilities. In doing so the Government shall endeavor not to interfere with the contractor and the contractor shall not interfere with other work being done by or on behalf of the Government in the structure.

(c) When demolition or alterations to existing structures are indicated, notification of the start of such operations shall be given to the contracting officer at least 48 hours in advance in order that the operation of the unit will not be affected by this work.

§ 11-7.602-58 Space at the site; temporary buildings.

SPACE AT THE SITE; TEMPORARY BUILDINGS

(a) The contractor shall be allowed reasonable space at the site of the work and access thereto and shall confine his operations to the space assigned. The work shall be done without interference with the ordinary use of streets, berthing spaces, fairways and passages and the contractor shall cooperate with other contractors of the Government and Government employees as may be required by the circumstances or directed by the contracting officer. The contractor shall not commit or permit any act which will interfere with the performance of work by any other contractor or Government employees whether at the site or not.

(b) The contractor shall erect at his own expense such temporary storage sheds and offices as are necessary for the work, subject to the approval of the contracting officer. Upon completion of the work the contractor shall remove all his plant, tools, materials, and other articles from the property of the Government. Should he fail to take prompt action to this end, the Government (at its option and without waiver of such other rights as it may have) may on 30 days' notice treat them as abandoned property.

§ 11-7.602-59 Construction stakes.

The contractor shall verify the general location, alignment, measurements, elevations, depths of water, and grades of the work, as shown on the drawings, and shall furnish and set such stakes and batter boards, masts, and furnish scaffolds, straightedges, templates, or other devices, as may be necessary to facilitate laying out, inspecting, and constructing the work. The contractor shall exercise proper care in the preservation of such stakes, etc., and he shall be held responsible for their maintenance throughout the work. The contractor shall assume the entire responsibility for the accurate laying out of the work. Should any discrepancies be noted in the alignment or grades of the work, such discrepancies shall be immediately called to the attention of the contracting officer or his representative for adjustment before proceeding with the construction work.

§ 11-7.602-60 Contracting officer's representative and inspection by the Government.

CONTRACTING OFFICER'S REPRESENTATIVE AND INSPECTION BY THE GOVERNMENT

A representative of the contracting officer may be detailed for the purpose of inspecting all materials used and all work done. The inspections may extend to all or any part of the work and to the preparation or manufacture of the materials for use in the work. The assignment of a contracting officer's representative may not be continuous for the reason that he may be employed on two or more projects, or for other purposes; however, his absence at any time is not to be considered as a reason for delay in proceeding with the work unless otherwise specified in the contract.

§ 11-7.602-61 Progress reports.

PROGRESS REPORTS

The contractor, if so directed, shall furnish on a prescribed form a schedule of expected progress of the work under the contract, showing approximately the dates on which part or division of the work is expected to be begun and finished. The contractor shall also forward to the contracting officer,

as soon as practicable after the first day of each month, a summary report of the progress of the various parts of the work under the contract in the mills or shops and in the field, stating the existing status, rate of progress, estimated time of completion, and cause of delay, if any.

§ 11-7.602-62 Subcontracts.

SUBCONTRACTS

(a) Nothing contained in the contract shall be construed as creating any contractual relationship between any subcontractor and the Government. The divisions or sections of the specifications are not intended to control the Contractor in dividing the work among subcontractors or to limit the work performed by any trade.

(b) The Contractor shall be responsible to the Government for acts and omissions of his own employees, and of subcontractors and their employees. He shall also be responsible for the coordination of the work of the trades, subcontractors, and material men.

(c) The Contractor shall, without additional expense to the Government, employ specialty subcontractors where required by the specifications.

(d) The Government or its representatives will not undertake to settle any differences between the Contractor and his subcontractors, or between subcontractors.

§ 11-7.602-63 Index for specifications.

INDEX FOR SPECIFICATIONS

If an index or table of contents is furnished in connection with specifications, it is understood that such index or table of contents is for convenience only. Its accuracy and completeness is not guaranteed, and it is not to be considered as part of the specifications. In case of discrepancy between the index or table of contents and the specifications, the specifications shall govern.

§ 11-7.602-64 Performance of work by contractor.

In accordance with the requirements of ASPR "32 CFR 4-104" the clause set forth therein will be included in all construction contracts estimated to exceed \$100,000.

§ 11-7.602-65 Debris and cleaning.

DEBRIS AND CLEANING

(a) The contractor shall, during the progress of the work, remove and dispose of the resultant dirt and debris and keep the premises clean.

(b) Upon completion of the work, the contractor shall remove all construction equipment and surplus materials (except materials that are to remain the property of the Government as provided in the specifications), and leave the premises in a clean condition satisfactory to the Government Representative.

§ 11-7.602-66 Utilization of small business concerns.

Insert the clause set forth in § 1-1.710-3(a) of this title under the conditions and in the manner prescribed therein.

§ 11-7.602-67 Small business subcontracting program.

Insert the clause set forth in § 1-1.710-3(b) of this title under the conditions and in the manner prescribed therein.

§ 11-7.602-68 Notice to the Government of labor disputes.

Insert the clause set forth in ASPR "32 CFR 7-104.4" in all contracts in which the completion date is or may be ur-

gently required for the operational readiness of the Coast Guard.

§ 11-7.602-69 Examination of record.

Insert the clause set forth in § 1-7.101-10 of this title under the conditions and in the manner prescribed therein.

§ 11-7.602-70 Notices and interpretations.

Insert the clause set forth in § 11-7.101-65.

§ 11-7.602-71 Guaranties.

(a) The clause set forth below will be used in all fixed-price construction contracts (for modifications see paragraph (b) of this section) unless deemed inappropriate or otherwise undesirable by the contracting officer.

GUARANTIES

(a) Unless otherwise provided in the specifications, the contractor guarantees all work to be in accordance with contract requirements and free from defective or inferior materials, equipment, and workmanship for one (1) year after the date of final settlement or from an earlier date determined by the contracting officer.

(b) If, within any guaranty period, the contracting officer finds that guaranteed work needs to be repaired or changed because of the use of materials, equipment, or workmanship which, in his opinion, are inferior, defective, or not in accordance with the terms of the contract, he shall so inform the contractor in writing and the contractor shall promptly and without additional expense to the Government:

- (1) place in a satisfactory condition all of such guaranteed work;
- (2) make good all damage to equipment, the site, the building, or contents thereof, which is the result of such unsatisfactory guaranteed work; and
- (3) make good any work, materials, and equipment that are disturbed in fulfilling the guaranty, including any disturbed work, materials, and equipment that may have been guaranteed under another contract.

Should the contractor fail to proceed promptly in accordance with the guaranty, the Government may have such work performed at the expense of the contractor.

(c) Any special guaranties that may be required under the contract shall be subject to the stipulations set forth above, insofar as they do not conflict with the provisions of such special guaranties.

(b) When inspection and acceptance tests will afford full protection to the Government in ascertaining conformance to specification and the absence of defects and deficiencies, no guaranty provision for that purpose shall be included in the contract. In certain instances, the contracting officer may desire to include provision in a contract for a guaranty period of more than one year. In such instances, where after full inquiry it has been determined that such longer guaranty periods will not involve increased costs to the Coast Guard, the longer guaranty period may be substituted for the one year specified in the guaranty clause. Where the full inquiry discloses that such longer guaranty periods will involve, or is reasonably expected to involve, increased cost to the Coast Guard, such fact, and the reason for the need of such longer period shall be set forth in letter form to the Chief Officer responsible for procurement, re-

questing approval for use of a guaranty period in excess of one year.

§ 11-7.602-72 Federal specifications.

FEDERAL SPECIFICATIONS

(a) Unless otherwise indicated, specifications referred to herein by number are Federal specifications, including revisions and addenda, in effect on the date of issue of the invitation for bids (or request for quotations). Such specifications are not furnished in detail for the reason that they were prepared in collaboration with the material producers who are assumed to be familiar with their requirements. Copies of Federal specifications may be obtained from the Business Service Center of any of the regional offices of the General Services Administration at the following places: Atlanta, Ga.; Boston, Mass.; Chicago, Ill.; Dallas, Tex.; Denver, Colo.; Kansas City, Mo.; Los Angeles, Calif.; New York, N.Y.; San Francisco, Calif.; Seattle, Wash.; Washington, D.C. Requests for copies of specifications should include the number and the title of the specifications required.

(b) Numbered specifications, other than Federal specifications, incorporated herein by reference may be obtained from the sources set forth in the invitation for bids (or request for quotations).

Dated: May 5, 1964.

[SEAL] E. J. ROLAND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 64-4769; Filed, May 12, 1964; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[No. MC-C-3437]

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

PART 210—EXEMPTIONS

SUBCHAPTER D—FREIGHT FORWARDERS

PART 404—EXEMPTIONS

Motor Transportation of Property Incidental to Transportation by Aircraft

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 4th day of May A.D. 1964.

It appearing, that the Commission, division 1, by notice and order entered October 4, 1961, instituted the above-numbered proceeding under Part II of the Interstate Commerce Act (more specifically sections 204(a)(6) and 203(b)(7a) thereof) and section 4 of the Administrative Procedure Act to determine whether the facts and the circumstances require or warrant this Commission to define by regulation the transportation by motor vehicle that is exempt from economic regulation under section 203(b)(7a) of the Interstate Commerce Act, and for the purpose of taking such other and further action as the facts and circumstances may justify or require;

It further appearing, that the Commission, by supplemental notice and order entered October 17, 1963, reopened this proceeding under parts II and IV of the act (more specifically sections 204(a)(6) and 403(a) thereof) and section

4 of the Administrative Procedure Act to encompass certain other matters described in the said supplemental notice;

It further appearing, that said notice and orders entered October 4, 1961, and October 17, 1963, invited the participation of motor carriers, air carriers, or other interested person or persons by submitting for consideration written statements of facts, views, and arguments with the Commission at its office in Washington; and that notice to all interested persons was given through publication of the said notice in the FEDERAL REGISTER (26 F.R. 9569 and 28 F.R. 11235);

And it further appearing, that the Commission, on the date hereof, has made and filed a report herein setting forth the basis of its conclusions and its findings therein, which report is hereby referred to and made a part hereof;

It is ordered, That Title 49 CFR be, and it is hereby, amended by adding thereto § 210.40 *Motor transportation of property incidental to transportation by aircraft*, and Part 404, *Exemptions*, § 404.1 *Use by air freight forwarders of regulated motor common carrier service*, containing the regulations set forth below.

It is further ordered, That this order shall become effective June 24, 1964, and shall remain in effect until modified or revoked in whole or in part by further order of the Commission.

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

(52 Stat. 1029, 49 U.S.C. 303(b)(7a); 52 Stat. 1237, 49 U.S.C. 304(a)(6); 66 Stat. 285, 49 U.S.C. 1003(a); 60 Stat. 237, 5 U.S.C. 1003)

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

§ 210.40 Motor transportation of property incidental to transportation by aircraft.

(a) *Property moving in collection, delivery, or transfer service.* Transportation of property by motor vehicle is

transportation incidental to transportation by aircraft within the meaning of section 203(b)(7a) of the Interstate Commerce Act provided (1) that it is confined to the transportation of shipments in bona fide collection, delivery, or transfer service performed within the terminal area of the direct air carrier or air freight forwarder (indirect air carrier) providing the line-haul transportation, which terminal area, if the line-haul air transportation is provided by a carrier subject to economic regulation under the Federal Aviation Act, has been described in a tariff filed with and accepted by the Civil Aeronautics Board, and (2) that it is confined to the transportation of shipments which have been received from or will be delivered to a direct air carrier or air freight forwarder as part of a continuous movement which, if provided by an air carrier subject to economic regulation under the Federal Aviation Act, shall be provided for in tariffs filed with and accepted by the Civil Aeronautics Board, and shall be performed on a through air bill of lading covering, in addition to the line-haul movement by air, the collection, delivery, or transfer service performed by the motor carrier.

(b) *Substitution of motor-for-air transportation due to emergency conditions.* Transportation of property by motor vehicle is transportation incidental to transportation by aircraft if it constitutes substituted motor-for-air service, performed at the expense of the direct air carrier or air freight forwarder, on a through air bill of lading, in emergency situations arising from the inability of the direct air carrier to perform air transportation due to adverse weather conditions, equipment failure, or other causes beyond the control of the direct air carrier.

(c) *Individual determination of exempt zones.* Upon its own motion or upon petition filed by any interested person, the Interstate Commerce Commission may, in an appropriate proceeding, determine whether the area within which the transportation of property by motor vehicle, in bona fide collection, delivery, or transfer service, must be performed, in order to come within the provisions of paragraph (a) of this section, should be individually determined with respect to any particular airport or city authorized

to be served by a direct air carrier or air freight forwarder holding authority from the Civil Aeronautics Board, and whether there should be established therefor appropriate boundaries, differing in extent from the terminal areas of such direct air carriers or freight forwarders as defined in tariffs filed with and accepted by the Civil Aeronautics Board.

§ 404 Exemptions.

§ 404.1 Use by air freight forwarders of regulated motor common carrier service.

An air freight forwarder (indirect air carrier) subject to economic regulation under the Federal Aviation Act may receive from or turn over to motor common carriers subject to economic regulation under part II of the Interstate Commerce Act shipments the transportation of which is not within the scope of the incidental-to-aircraft exemption of section 203(b)(7a) of the Interstate Commerce Act without being considered as conducting operations as a freight forwarder subject to part IV of the Interstate Commerce Act provided:

(a) That the air freight forwarder shall not hold out to assume responsibility for, nor make any claim in its advertising, solicitation of freight, or tariff publications that it will assume responsibility for, any shipment prior to its receipt from or after it is turned over to an authorized motor common carrier for movement beyond the air freight forwarder's terminal area as defined in tariffs filed with and accepted by the Civil Aeronautics Board.

(b) That all shipping documents issued by the air freight forwarder shall state clearly that its responsibility for the shipment does not extend beyond its actual air movement and the territorial extent of its terminal area as provided for in tariffs published with the Civil Aeronautics Board.

(c) That the air freight forwarder shall receive no compensation from any shipper or motor carrier for services rendered in connection with the receipt of shipments from or the delivery of shipments to a motor carrier for movement beyond the air freight forwarder's terminal area.

[F.R. Doc. 64-4756; Filed, May 12, 1964; 8:47 a.m.]

Proposed Rule Making

INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. 11

[No. 34400]

STOPPING-IN-TRANSIT RULES AND CHARGES, TO, FROM, AND BE- TWEEN POINTS IN SOUTHERN TERRITORY

Notice of Proposed Rule Making

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 20th day of April A.D. 1964.

Upon consideration of the petition of the Southern Motor Carriers Rate Conference, Inc., filed February 24, 1964, seeking the institution of an investigation into and concerning the reasonableness and lawfulness otherwise of the presently applicable stopping-in-transit rules for partial loading and unloading, and charges relating thereto, and in lieu thereof the prescription of just, reasonable, and lawful rules and charges for account of common and contract carriers by motor vehicle to, from, and between points in Southern Territory; and replies thereto of C & H Transportation Co., Inc., filed March 13, 1964, and of the Oil Field Haulers Association, Inc., filed March 16, 1964; and for good cause appearing:

It is ordered, That a proceeding be, and it is hereby, instituted under authority of Part II of the Interstate Commerce Act,

more particularly sections 204a(6), 204(c), 216(e), and 218(b), and section 4 of the Administrative Procedure Act, into and concerning the lawfulness of the aforesaid rules, including all amendments, changes, and reissues, and the practices relating thereto.

It is further ordered, That the motor common or contract carriers maintaining, or participating in agency tariffs publishing, such rules and provisions as above described, be, and they are hereby, made respondents in this proceeding.

It is further ordered, That, in accordance with Rule 68 of the Commission's general rules of practice, the proceeding be, and it is hereby, assigned for a pre-hearing conference at 8:30 o'clock a.m., U.S.s.t. (9:30 o'clock a.m., District of Columbia d.s.t.), on June 9, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C.

And it is further ordered, That a copy of this order be served on all Public Utility Commissions or Boards, or similar regulatory bodies, of each State; that a copy be posted in the Office of the Secretary of the Interstate Commerce Commission for public inspection; and that a copy be delivered to the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-4757; Filed, May 12, 1964;
8:47 a.m.]

Notices

POST OFFICE DEPARTMENT MONEY ORDERS; SATURDAY WINDOW SERVICE

Notice of Changes

The text of Regional Letter No. 64-74, as published in the FEDERAL REGISTER of April 25, 1964, at page 5567, which announced changes in window services and parcel post delivery is amended by revising paragraphs (V) (D-1) and (D-2) to read as follows:

V Saturday window service.

(D) Money order windows. 1. Domestic and international money orders will not be issued and all money order windows will be closed, except at small offices where no additional clerical hours will be required on Saturdays incident to providing money order service. At those small offices where the Postmaster personally provides window service on Saturday or where the use of clerical help is at an irreducible minimum and no reduction therein is possible, all of the services usually provided, including the issuance of money orders, will be authorized. Before authorizing continuance of window finance services other than those specified in Paragraphs V (B and C) of RL 64-74, the Regional Director will assure himself that no additional clerical hours will be used incident to such services.

2. Rural carriers and those star route carriers who provide rural features shall accept money order applications on Saturdays. At offices of the fourth class and small Presidential offices (as specified above) where money order service is to be provided on Saturday, rural carrier money orders will be issued in the normal manner. At those offices where Saturday money order service is not provided, arrangements will be made to accept money order funds from rural carriers, and the money orders will be issued on the following Monday. Separate instructions on accounting for these funds will be issued as soon as possible.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 309, 501)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 64-4764; Filed, May 12, 1964;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management
ALASKA

Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

MAY 6, 1964.

1. Plat of extension survey of the lands described below will be officially filed in

the Anchorage Land Office, Anchorage, Alaska, effective at 10:00 a.m., June 1, 1964.

SEWARD MERIDIAN

TOWNSHIP 17 SOUTH, RANGE 44 WEST

Sec. 1: Lots 1-4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$.
Sec. 2: Lots 1-4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$.
Sec. 3: Lots 1-4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$.
Sec. 4: Lots 1-11, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
Sec. 5: Lots 1-4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$.
Sec. 6: Lots 1-7, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
Sec. 7: Lots 1-4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$.
Sec. 8: All.
Sec. 9: Lots 1-5, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$.
Secs. 10 through 17: All.
Sec. 18: Lots 1-5, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.
Sec. 19: Lots 1-10, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Secs. 20 through 24: All.
Sec. 25: Lots 1-3, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.
Sec. 26: Lots 1-10, NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
Secs. 27 through 29: All.
Sec. 30: Lots 1-4, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$.
Sec. 31: Lots 1-12, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
Sec. 32: Lots 1-6, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
Sec. 33: All.
Sec. 34: All.
Sec. 35: Lots 1-3, S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
Sec. 36: Lots 1-6, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

Containing 21,846.65 acres.

TOWNSHIP 17 SOUTH, RANGE 45 WEST

Sec. 1: All.
Sec. 2: Lot 1, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$.
Sec. 3: Lots 1-5, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
Sec. 4: All.
Sec. 5: All.
Sec. 6: Lots 1-4, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
Sec. 7: Lots 1-7, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$.
Sec. 8: All.
Sec. 9: Lots 1-4, E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$.
Secs. 10 through 12: All.
Sec. 13: Lots 1-7, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
Secs. 14 through 16: All.
Sec. 17: Lots 1-6, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Sec. 18: Lot 1.
Sec. 20: Lot 1, 2.
Sec. 21: Lots 1-6, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
Sec. 22: Lots 1-5, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.
Sec. 23: Lots 1-3, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
Sec. 24: All.
Sec. 25: All.
Sec. 26: Lots 1-6, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Sec. 35: Lot 1, 2.
Sec. 36: Lots 1-4.

Containing 13,283.79 acres.

2. The Naknek River traverses through the southern portion of these townships. The soil is generally sandy loam, which is covered with tundra throughout, under which will be found permafrost.

There are several small lakes, some of which are meandered in the survey.

The timber is thinly scattered birch, dense undergrowth covers small areas,

being principally alder and willow. Marsh areas are covered with moss, cranberries and blueberries.

3. Subject to any existing valid rights, the provisions of existing withdrawals, and the requirements of applicable law, the above-described land is hereby opened to filing applications, selections and locations in accordance with the following:

a. Applications and selections under the non-mineral public land laws may be presented to the Acting Manager, Anchorage Land Office, 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 and selections under the non-mineral public land laws presented prior to 10:00 a.m. on June 1, 1964, 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. The lands will also be open to mining location at that date and hour.

4. 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.

5. Inquiries concerning these lands shall be addressed to the Acting Manager, Federal Building, Fourth and G Streets, Anchorage, Alaska.

AL J. HOLLEY,
Acting Manager,
Land Office.

[F.R. Doc. 64-4745; Filed, May 12, 1964;
8:45 a.m.]

NEVADA

Notice of Filing of Nevada Protraction Diagrams

MAY 4, 1964.

Notice is hereby given that effective at and after 10:00 a.m. June 2, 1964, the following protraction diagrams are officially filed of record in the Nevada Land Office. In accordance with Title 43 Code of Federal Regulations, these protractions will become the basic record for describing the land for all authorized purposes. Until this date and time the

diagrams have been placed in open files and are available to the public for information only.

NEVADA PROTRACTION DIAGRAMS Nos. 106 THROUGH 136

MOUNT DIABLO MERIDIAN

No. 106

T. 3 S., R. 50 E.
T. 4 S., R. 50 E.
T. 3 S., R. 51 E.
T. 4 S., R. 51 E.

No. 107

T. 3 S., R. 51½ E.
T. 4 S., R. 51½ E.
T. 3 S., R. 52 E.
T. 4 S., R. 52 E.

No. 108

T. 1 S., R. 51½ E.
T. 2 S., R. 51½ E.
T. 1 S., R. 52 E.
T. 2 S., R. 52 E.

No. 109

T. 1 S., R. 50 E.
T. 2 S., R. 50 E.
T. 1 S., R. 51 E.
T. 2 S., R. 51 E.

No. 110

T. 45 N., R. 57 E.
T. 46 N., R. 57 E.

No. 111

T. 47 N., R. 50 E.

No. 112

T. 6 N., R. 55 E.
T. 7 N., R. 55 E.

No. 113

T. 10 N., R. 53 E.
T. 10 N., R. 54 E.
T. 9 N., R. 55 E.
T. 10 N., R. 55 E.

No. 114

T. 6 N., R. 52 E.
T. 7 N., R. 52 E.
T. 6 N., R. 53 E.
T. 7 N., R. 53 E.
T. 6 N., R. 54 E.
T. 7 N., R. 54 E.

No. 115

T. 8 N., R. 52 E.
T. 9 N., R. 52 E.
T. 8 N., R. 53 E.
T. 9 N., R. 53 E.
T. 8 N., R. 54 E.
T. 9 N., R. 54 E.

No. 116

T. 17 N., R. 51 E.
T. 18 N., R. 51 E.
T. 17 N., R. 52 E.
T. 18 N., R. 52 E.
T. 17 N., R. 53 E.
T. 18 N., R. 53 E.

No. 117

T. 17 N., R. 45 E.
T. 17 N., R. 45½ E.
T. 18 N., R. 45½ E.
T. 18½ N., R. 45½ E.
T. 17 N., R. 46 E.
T. 18 N., R. 46 E.
T. 18½ N., R. 46 E.

No. 118

T. 17 N., R. 47 E.
T. 18 N., R. 47 E.
T. 18½ N., R. 47 E.
T. 17 N., R. 48 E.

T. 17½ N., R. 48 E.
T. 17 N., R. 49 E.

No. 119

T. 37 N., R. 52 E.
T. 40 N., R. 52 E.

No. 120

T. 36 N., R. 49 E.

No. 121

T. 42 N., R. 38 E.
T. 42 N., R. 40 E.
T. 41 N., R. 41 E.

No. 122

T. 13 N., R. 53 E.
T. 13½ N., R. 53 E.
T. 14 N., R. 53 E.
T. 13 N., R. 54 E.
T. 13½ N., R. 54 E.
T. 14 N., R. 54 E.
T. 15 N., R. 54 E.

No. 123

T. 11 N., R. 55 E.
T. 12 N., R. 55 E.
T. 13 N., R. 55 E.
T. 13½ N., R. 55 E.
T. 11 N., R. 55½ E.
T. 12 N., R. 55½ E.
T. 13 N., R. 55½ E.
T. 13½ N., R. 55½ E.

No. 124

T. 12 N., R. 52 E.
T. 11 N., R. 53 E.
T. 12 N., R. 53 E.
T. 11 N., R. 54 E.
T. 12 N., R. 54 E.

No. 125

T. 14 N., R. 55 E.
T. 15 N., R. 55 E.
T. 14 N., R. 56 E.
T. 15 N., R. 56 E.

No. 126

T. 16 N., R. 54 E.
T. 17 N., R. 54 E.
T. 16 N., R. 55 E.
T. 17 N., R. 55 E.
T. 18 N., R. 55 E.

No. 127

T. 11 N., R. 50 E.
T. 12 N., R. 50 E.
T. 11 N., R. 51 E.

No. 128

T. 13 N., R. 50 E.
T. 13 N., R. 51 E.
T. 13½ N., R. 51 E.
T. 13 N., R. 52 E.
T. 13½ N., R. 52 E.

No. 129

T. 31 N., R. 38 E.
T. 31 N., R. 39 E.
T. 32 N., R. 40 E.

No. 130

T. 29 N., R. 57 E.
T. 29 N., R. 58 E.
T. 30 N., R. 58 E.
T. 30 N., R. 59 E.

No. 131

T. 28 N., R. 56 E.
T. 27 N., R. 57 E.
T. 28 N., R. 57 E.
T. 28 N., R. 58 E.

No. 132

T. 25 N., R. 56 E.
T. 25 N., R. 57 E.

T. 26 N., R. 57 E.
T. 25 N., R. 58 E.

No. 133

T. 31 N., R. 58 E.

No. 134

T. 46 N., R. 53 E.
T. 47 N., R. 53 E.
T. 46 N., R. 54 E.
T. 47 N., R. 54 E.
T. 46 N., R. 54½ E.
T. 47 N., R. 54½ E.

No. 135

T. 44 N., R. 54 E.
T. 45 N., R. 54 E.

No. 136

T. 6 N., R. 62 E.
T. 7 N., R. 62 E.
T. 8 N., R. 63 E.

Copies of these diagrams are for sale at one dollar (\$1.00) each by the Nevada Land Office, Bureau of Land Management, Post Office Box No. 1551, Reno, Nevada.

DANIEL P. BAKER,
Acting Land Office Manager.

[F.R. Doc. 64-4746; Filed, May 12, 1964;
8:46 a.m.]

ALASKA

Notice of Proposed Withdrawal and
Reservation of Lands

MAY 6, 1964.

The Federal Aviation Agency has filed an application, Serial Number Anchorage 061188, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws. The applicant desires the land as an enlargement to an existing air navigational site.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Federal Building, 4th and G Streets, 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 of 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:

MIDDLETON ISLAND, ALASKA

All of those lands encompassing the central and southern portions of Middleton Island, lying outside the exterior boundaries of Air Navigational Site No. 191, except for a certain tract of land containing approximately 141 acres of land which is located on the north central portion of the island.

The area described contains approximately 1,782 acres.

JAMES W. SCOTT,
District Manager.

[F.R. Doc. 64-4766; Filed, May 12, 1964;
8:48 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Report No. 31]

LIST OF FREE WORLD AND POLISH
FLAG VESSELS ARRIVING IN CUBA
SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through May 1, 1964, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those listed in section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

FLAG OF REGISTRY, NAME OF SHIP

FLAG OF REGISTRY, NAME OF SHIP	Gross tonnage
Total—all flags (211 ships)	1,545,157
British (74 ships)	601,765
Amalia	7,189
Ardgem	6,981
Ardmore	4,664
Ardrowan	7,300
Ardstrod	7,025
Arlington Court (now Southgate—British flag)	9,662
Athelcrown (Tanker)	11,149
Athelduke (Tanker)	9,089
Athelmere (Tanker)	7,524
Athelmonarch (Tanker)	11,182
Athelsultan (Tanker)	9,149
Avisfaith	7,868
Baxtergate	8,813
Beech Hill	7,150
Canuk Trader	7,151
Cedar Hill	7,156
Chipbee	7,271
**Cosmo Trader (trip to Cuba under ex-name, Ivy Fair—British flag)	
Dalren	4,939
Denmark Hill	7,150
East Breeze	8,708
Elm Hill	7,125
Fir Hill	7,119
Free Enterprise	6,807
Grosvenor Mariner	7,026
Hazelmoor	7,907
Hemisphere	8,718
Ho Fung	7,121
Inchstaffa	5,255
**Ivy Fair (now Cosmo Trader—British flag)	7,201
Kinross	5,388
Kirriemoor	5,923
Linkmoor	8,236
London Endurance (Tanker)	10,081
London Glory (Tanker)	10,081
London Harmony (Tanker)	13,157
London Majesty (Tanker)	12,132
London Pride (Tanker)	10,776
London Spirit (Tanker)	10,176
London Splendour (Tanker)	16,195
London Valour (Tanker)	16,268
Maple Hill	7,139
Maratha Enterprise	7,166
Mulberry Hill	7,121
Muswell Hill	7,131
Nancy Dee	6,597
Newgate	6,743
Newheath	5,891
Newhill	7,855
Newlane	7,043

*Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY, NAME OF SHIP—Continued

FLAG OF REGISTRY, NAME OF SHIP—Continued	Gross tonnage
British—Continued	
Oak Hill	7,189
Oceantramp	6,185
Oceantravel	10,477
Overseas Explorer (Tanker)	16,267
Overseas Pioneer (Tanker)	16,267
Redbrook	7,388
Ruthy Ann	7,361
*Sandsend	7,286
Santa Granda	7,229
Sea Coral	10,421
Shienfoon	7,127
Shun Fung	7,148
**Southgate (trip to Cuba under ex-name, Arlington Court—British flag)	
Stanwear	8,108
Streatham Hill	7,130
Sudbury Hill	7,140
Suva Breeze	4,970
Sycamore Hill	7,124
Thames Breeze	7,878
**Timios Stavros (previous trips to Cuba under Greek flag)	5,269
Vercharmian	7,265
Vermont	7,381
West Breeze	8,718
Yungfutary	5,388
Yunglutaton	5,414
Zela M.	7,237
Greek (43 ships)	325,858
Agios Therapon	5,617
Akastos	7,331
Aldebaran (Tanker)	12,897
Alice	7,189
**Ambassade (sold Hongkong ship breakers)	8,600
Americana	7,104
Anacreon	7,359
Anatoli	7,178
Antonia	5,171
Apollon	9,744
Armathia	7,091
Athanassios K.	7,216
Barbarino	7,084
Calliopi Michalos	7,249
Capetan Petros	7,291
**Embassy (broken up)	8,418
Everest	7,031
Flora M.	7,244
Galini	7,266
Gloria	7,128
Irena	7,262
Istros II	7,275
Kapetan Kostis	5,032
Kyra Harkila	6,888
Maria Theresa	7,245
Marigo	7,147
Maroudio	7,369
Mastro-Stelios II	7,282
**Nicolao F. (trip to Cuba under ex-name, Nicolao Frangistas—Greek flag)	
Nicolao Frangistas (now Nicolao F.—Greek flag)	7,199
**Pamit (now Christos—Lebanese flag)	3,929
Pantanassa	7,131
Paxol	7,144
Penelope (now Andromachi)	6,712
Perseus (Tanker)	15,852
**Plate Trader (trip to Cuba under ex-name, Stylianos N. Vlassopoulos—Greek flag)	
**Presvia (broken up)	10,820
Propontis	7,128
Redestos	5,911
**Seirios (sold Japanese ship breakers)	7,239
Sirius (Tanker)	16,241
Stylianos N. Vlassopoulos (now Plate Trader—Greek flag)	7,244
**Timios Stavros (now British flag)	
Tina	7,362
Western Trader	9,268

*Added to Report No. 30 appearing in the FEDERAL REGISTER issue of May 1, 1964.

FLAG OF REGISTRY, NAME OF SHIP—Continued

FLAG OF REGISTRY, NAME OF SHIP—Continued	Gross tonnage
Lebanese (48 ships)	313,997
Agia Sophia	3,106
Aiolos II	7,256
Ais Giannis	6,997
Akamas	7,285
Alaska	6,989
Anthas	7,044
Antonis	6,259
Ares	4,557
Areti	7,176
Aristefs	6,995
Astir	5,324
Athamas	4,729
Carnation	4,884
**Christos (trip to Cuba under ex-name, Pamit—Greek flag)	
Claire	5,411
Cris	6,032
Dimos	7,187
Free Trader	7,067
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Asplotis	7,297
Kalliopi D. Lemos	5,103
Leftric	7,176
Malou	7,145
Mantric	7,255
Marichristina	7,124
Marymark	4,383
Mersinidi	6,782
Mousse	6,984
Noelle	7,251
Noemi	7,070
Olga	7,199
Panagos	7,133
Parmarina	6,721
Razani (broken up)	7,253
Rio	7,194
St. Anthony	5,349
St. Nicolas	7,165
San John	5,172
San Spyridon	7,260
Stevo	7,066
Tertric	7,045
Theologos	6,529
Toula	4,561
Vassiliki	7,192
Vastric	6,453
Vergolivada	6,339
Yanxilas	10,051
Polish (13 ships)	87,426
Baltyk	6,983
Bialystok	7,173
Bytom	5,967
Chopin	6,987
Chorzow	7,237
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
*Huta Zgoda	6,840
Kopalnia Mlechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Plast	3,184
Italian (8 ships)	62,020
Achille	6,950
Airone	6,969
*Andrea Costa (Tanker)	10,440
Aspromonte	7,154
Montiron	1,595
Nazareno	7,173
San Nicola (Tanker)	12,461
San Lucia	9,278
Yugoslav (6 ships)	42,801
Bar	7,233
Cavtat	7,266
Cetinje	7,200
Dugi Otok	6,997
Promina	6,960
Trebisnjica (wrecked)	7,145

FLAG OF REGISTRY, NAME OF SHIP—Continued

	Gross tonnage
Spanish (5 ships)-----	8,159
Castillo Ampudia-----	3,566
Escorpion-----	999
Sierra Andia-----	1,596
Sierra Madre-----	999
Sierra Maria-----	999
Norwegian (4 ships)-----	34,503
Lovdal (Tanker)-----	12,764
Ole Bratt-----	5,252
Polyclipper (Tanker)-----	11,737
**Tine (now Jezreel—Panama- nian flag)-----	4,750
French (4 ships)-----	10,028
Circe-----	2,874
Enee-----	1,232
**Guinee (now Comfort, Chinese "Formosa" flag)-----	3,048
Nelee-----	2,874
Moroccan (4 ships)-----	32,614
Atlas-----	10,392
Banora-----	3,082
Mauritanie-----	10,392
Toubkal-----	8,748
Swedish (2 ships)-----	14,295
**Atlantic Friend (now Atlantic Venture—Liberian flag)-----	7,805
Dagmar-----	6,490
Finnish (1 ship):	
Valny (Tanker)-----	11,691
Chinese (Formosa):	
**Comfort (trip to Cuba under ex-name, Guinee—French flag).	
Liberian:	
**Atlantic Venture (trip to Cuba under ex-name, Atlantic Friend—Swedish flag).	
Panamanian:	
**Jezreel (trip to Cuba under ex- name, Tine—Norwegian flag).	

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade; and

(b) That no other vessels under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP

a. Since last report:

	Gross tonnage
British (1 ship):	
Lord Gladstone-----	11,299

b. Previous reports:

Flag of registry:	Number of ships
British-----	9
Danish-----	1
German (West)-----	1
Greek-----	16
Italian-----	4
Japanese-----	1
Norwegian-----	2

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through May 1, 1964:

Flag of registry	Number of trips												Total
	1963							1964					
	Jan.- June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.		
British-----	66	14	11	8	10	12	12	15	7	21	12	188	
Greek-----	55	17	7	8	8	2	2	1	5	3		108	
Lebanese-----	28	8	3	4	10	5	6	6	4	13	4	91	
Norwegian-----	9	1	2	1			1	2	1			17	
Italian-----	10	2	2		1	1		1		1	2	20	
Yugoslav-----	6	1	1	2		2		1	1	1		15	
Spanish-----	2	1	1	1		1	2		3		1	12	
Danish-----	1											1	
Finnish-----	1											1	
French-----				5	1		2				1	9	
German (West)-----	1											1	
Japanese-----	1											1	
Moroccan-----	2	1	1	1	2	1	1		2			11	
Swedish-----	2		1									3	
Subtotal-----	184	45	29	30	32	24	26	26	23	39	20	478	
Polish-----	10	1	1		2	3	1	1	3	1	2	25	
Grand total-----	194	46	30	30	34	27	27	27	26	40	22	503	

Note: Trip totals in this section exceed ship totals in sections 1 and 2 because some of the ships made more than one trip to Cuba.

Dated: May 6, 1964.

J. W. GULICK,
Deputy Maritime Administrator.

[F.R. Doc. 64-4734; Filed, May 12, 1964; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 60-43]

U.S. NAVAL POSTGRADUATE SCHOOL
Notice of Issuance of Facility License
Amendment

Please take notice that the Atomic Energy Commission has issued effective as of the date of issuance, Amendment No. 5, set forth below, to Facility License No. R-11. License No. R-11 authorizes the U.S. Naval Postgraduate School ("the licensee") to operate nuclear reactor Model AGN-201, Serial No. 100, ("the reactor") on the licensee's campus at Monterey, California.

The amendment authorizes the licensee to (1) modify the procedures for monitoring the skirt region of the reactor for Argon-41 in accordance with the application for license amendment dated January 8, 1964, (2) to modify the control and safety rods of the reactor in accordance with the procedures described in the application for license amendment dated January 8, 1964, and (3) to operate the reactor with the modified control and safety rods, subject to the condition that the reactor shall not be operated when the pressure in either a control or safety rod has been estimated to be in excess of six psi above atmospheric pressure.

The Commission has found that:

1. The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

2. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated;

3. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Request for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's "rules of practice," 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment see (1) the hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing and (2) the licensee's application for license amendment dated January 8, 1964, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C.,

20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 5th day of May 1964.

For the Atomic Energy Commission.

ROGER S. BOYD,
Chief, Research and Power Reactor Safety Branch, Division of Reactor Licensing.

[License R-11, Amdt. 5]

FACILITY LICENSE AMENDMENT

1. Facility License No. R-11, as amended, which authorizes the U.S. Naval Postgraduate School ("the licensee") to operate its Model AGN-201 reactor located on the licensee's campus at Monterey, California, is hereby further amended as follows:

The licensee is authorized (1) to modify the procedures for monitoring the skirt region of the reactor for Argon-41 in accordance with the application for license amendment dated January 8, 1964, (2) to modify the control and safety rods of the reactor in accordance with the procedures described in the application for license amendment dated January 8, 1964, and (3) to operate the reactor with the modified control and safety rods, subject to the condition that the reactor shall not be operated when the pressure in either a control or safety rod has been estimated to be in excess of six psi above atmospheric pressure.

2. This amendment is effective as of the date of issuance.

Date of issuance: May 5, 1964.

For the Atomic Energy Commission.

ROGER S. BOYD,
Chief, Research and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 64-4738; Filed, May 12, 1964; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 15224]

AERONAVES DE MEXICO, S.A.

Notice of Postponement of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled proceeding, as assigned to be held on May 12, 1964, is hereby postponed to May 14, 1964, at 10 a.m., e.d.s.t., in Room 725, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned Hearing Examiner.

Dated at Washington, D.C., May 11, 1964.

[SEAL] LESLIE G. DONAHUE,
Hearing Examiner.

[F.R. Doc. 64-4798; Filed, May 12, 1964; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[Commission Order 1 (amended), Amdt. 10]

ORGANIZATION AND FUNCTIONS

The purpose of this amendment is to amend sections 3.02, 5.05 and 5.06 of the basic order and to supplement the order by the addition of a new section 3.04 as follows:

3.02 The Office of the Secretary and the Office of the General Counsel shall report to the Chairman, subject to the managerial direction and coordination of the Managing Director. The Managing Director shall, with respect to the activities of such offices, (1) coordinate the development and execution of major programs, policies, plans and projects to accomplish objectives established by the Chairman and/or the Commission; (2) determine work priorities and schedule the flow of work to meet such priorities; (3) review program and activity progress and otherwise maintain surveillance to assure the accomplishment of programs and projects of major importance.

3.04 The Office of Hearing Examiners shall report to the Chairman, subject to the administrative direction and coordination of the Managing Director.

5.05 The Office of Hearing Examiners holds hearings and renders decisions therein in formal rule-making and adjudicatory proceedings as provided in the Shipping Act, 1916, as amended and other applicable laws, in accordance with the Administrative Procedure Act and the Commission's rules of practice and procedure. Hearing Examiners are exempt from all direction, supervision or control except for administrative purposes.

5.06 The Managing Director directs and administers the organizations and activities as enumerated in subsections 5.061 through 5.069 below; provides managerial administrative direction to, and effects work coordination with, the Office of the General Counsel and the Office of the Secretary and assists, advises, and consults with the Chairman and/or the Federal Maritime Commission in the performance of major executive functions; directs general administrative activities.

Dated: May 7, 1964.

JOHN HARLLEE,
Rear Admiral, U.S. Navy
(Retired), Chairman.

[F.R. Doc. 64-4789; Filed, May 12, 1964; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP64-202]

LOUISIANA NEVADA TRANSIT CO.

Notice of Application

MAY 6, 1964.

Take notice that on March 12, 1964, Louisiana Nevada Transit Company (Applicant), Ada, Oklahoma, filed in Docket No. CP64-202 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction during the 12-month period commencing May 1, 1964, and the operation of minor facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers thereof, all as more fully set forth in the application which is

on file with the Commission and open to public inspection.

The total cost of the proposed facilities will not exceed a maximum of \$200,000, and no single project will exceed a cost of \$50,000, which costs will be financed from cash on hand.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas adjacent to said system.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 28, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-4742; Filed, May 12, 1964; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

COUNTY TRUST CO.

Order Approving Merger of Banks

In the matter of the application of County Trust Company for approval of merger with The First National Bank of Park Ridge.

There has come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), an application by County Trust Company, Tenafly, New Jersey, a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and The First National Bank of Park Ridge, Park Ridge, New Jersey, under the charter and title of the former. As an incident to the merger, the three offices of The First National Bank of Park Ridge would become branches of County Trust Company. Notice of the proposed merger, in

form approved by the Board, has been published pursuant to said Act.

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

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) within seven calendar days after the date of this order, or (b) later than three months after said date.

Dated at Washington, D.C., this 6th day of May 1964.

By order of the Board of Governors.²

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 64-4744; Filed, May 12, 1964; 8:45 a.m.]

FOREIGN-TRADE ZONES BOARD

[Order 61]

PENUELAS, PUERTO RICO

Application To Permit Erection and Installation of Additional Manufacturing Facilities

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (48 Stat. 998-1003; 19 U.S.C. 81a-81u), the Foreign-Trade Zones Board has adopted the following order which is promulgated for the information and guidance of all concerned:

Whereas, the Puerto Rico Industrial Development Company, Grantee of Foreign-Trade Sub-Zone 7-A at Penuelas, Puerto Rico, filed an application dated February 14, 1964 for authority to permit the erection and installation of certain additional manufacturing facilities within the subzone by Union Carbide Caribe, Inc. to enlarge the production capacity of the olefins plant now established within the subzone.

Now, therefore, the Foreign-Trade Zones Board, after full consideration hereby orders:

That the Grantee is authorized to permit Union Carbide Caribe, Inc. to erect and install said additional manufacturing facilities within the boundary of Sub-Zone 7-A in accordance with § 400.815 of the Foreign-Trade Zones Board Regulations.

This order is issued subject to settlement locally of the requirements of the Bureau of Customs with respect to the physical security of the subzone.

It is found that compliance with the notice, public rule making procedure, and effective date requirements of the Ad-

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of New York.

² Voting for this action: Unanimous, with all members present.

ministrative Procedure Act (5 U.S.C. 1003) is unnecessary in connection with the issuance of this order. Its application is restricted to one Foreign-Trade Sub-Zone and is of a nature that it imposes no burden on the parties of interest. The effective date of this order is, therefore, upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C. this 5th day of May 1964.

Foreign-Trade Zones Board.

LUTHER H. HODGES,
Secretary of Commerce, Chairman and Executive Officer,
Foreign-Trade Zones Board.

Attest:

RICHARD H. LAKE,
Executive Secretary,
Foreign-Trade Zones Board.

[F.R. Doc. 64-4767; Filed, May 12, 1964; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-IV, Amdt. 4]

RICHMOND REGIONAL AREA

Delegation of Authority To Conduct Program Activities in Regional Offices

Pursuant to the authority delegated to the Regional Director by the Delegation of Authority No. 30 (Revision 8), as amended, 28 F.R. 3228, 7204, 8179 and 29 F.R. 4842 and 5489, Delegation of Authority No. 30-IV as amended, 28 F.R. 4936, 6204, 8303 and Amendment 3 dated March 11, 1964, is hereby amended by:

1. Deleting Items I.J. 1. and 2. and substituting the following in lieu thereof:

1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

2. Adding the following Subitem (d) to Item I.K.7.

(d) Purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

Effective date. April 13, 1964.

CLARENCE P. MOORE,
Regional Director,
Richmond Regional Office.

[F.R. Doc. 64-4748; Filed, May 12, 1964; 8:46 a.m.]

[Delegation of Authority 30-XIII, Amdt. 5]

SEATTLE REGIONAL AREA

Delegation of Authority To Conduct Program Activities in Regional Office

Pursuant to the authority delegated to the Regional Director by the Delegation of Authority No. 30 (Revision 8), as amended, 28 F.R. 3228, 7204; 8179 and 29 F.R. 4842 and 5489, Delegation of Authority No. 30-XIII as amended, 28 F.R. 4938, 8231, 10593 and 29 F.R. 3253 and Amendment 4 dated March 11, 1964, is hereby amended by:

1. Deleting Items I.J. 1. and 2. and substituting the following in lieu thereof:

1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

2. Adding the following Subitem (d) to Item I.K.7.

(d) Purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

Effective date. April 13, 1964.

WILLIAM S. SCHUMACHER,
Regional Director,
Seattle Regional Office.

[F.R. Doc. 64-4749; Filed, May 12, 1964; 8:46 a.m.]

[Delegation of Authority 30-III, Amdt. 3]

PHILADELPHIA REGIONAL AREA

Delegation of Authority To Conduct Program Activities in Regional Offices

Pursuant to the authority delegated to the Regional Director by the Delegation of Authority No. 30 (Revision 8), as amended, 28 F.R. 3228, 7204, 8179 and 29 F.R. 4842 and 5489, Delegation of Authority No. 30-III as amended, 28 F.R. 4688, 8052 and Amendment 2 dated March 11, 1964, is hereby amended by:

1. Deleting Items I.J. 1. and 2. and substituting the following in lieu thereof:

1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

2. Adding the following Subitem (d) to Item I.K.7.

(d) Purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

Effective date. April 13, 1964.

EDWARD N. ROSA,
Regional Director,
Philadelphia Regional Office.

[F.R. Doc. 64-4750; Filed, May 12, 1964;
8:46 a.m.]

[Delegation of Authority 30-IV, Disaster 1]

**MANAGER, DISASTER FIELD OFFICE,
WHEELING, WEST VIRGINIA**

**Delegation Relating to Financial
Assistance Functions**

Notice is hereby given that Delegation of Authority No. 30-IV, Disaster 1 (29 F.R. 4691), is hereby rescinded in its entirety.

Effective date. May 1, 1964.

CLARENCE P. MOORE,
Regional Director,
Richmond, Virginia.

[F.R. Doc. 64-4753; Filed, May 12, 1964;
8:47 a.m.]

[Delegation of Authority 30-VIII, Amdt. 3]

MINNEAPOLIS REGIONAL AREA

**Delegation of Authority To Conduct
Program Activities in Regional Office**

Pursuant to the authority delegated to the Regional Director by the Delegation of Authority No. 30 (Revision 8), as amended, 28 F.R. 3228, 7204, 8179 and 29 F.R. 4842 and 5489, Delegation of Authority No. 30-VIII, as amended, 28 F.R. 4533, 8303 and Amendment 2 dated March 11, 1964, is hereby amended by:

1. Deleting Items I.J. 1. and 2. and substituting the following in lieu thereof:

1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

2. Adding the following Subitem (d) to Item I.K.7.

(d) Purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

Effective date. April 13, 1964.

HARRY A. SIEBEN,
Regional Director,
Minneapolis Regional Office.

[F.R. Doc. 64-4752; Filed, May 12, 1964;
8:47 a.m.]

[Delegation of Authority 30-V, Amdt. 3]

ATLANTA REGIONAL AREA

**Delegation of Authority To Conduct
Program Activities in Regional Offices**

Pursuant to the authority delegated to the Regional Director by the Delegation of Authority No. 30 (Revision 8), as amended, 28 F.R. 3228, 7204, 8179, and 29 F.R. 4842 and 5489, Delegation of Authority No. 30-V as amended, 28 F.R. 4930, 8180 and Amendment 2, dated March 11, 1964, is hereby amended by:

1. Deleting Items I.J. 1. and 2. and substituting the following in lieu thereof:

1. (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

2. Adding the following Subitem (d) to Item I.K.7.

(d) Purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

Effective date. April 13, 1964.

JAMES F. HOLLINGSWORTH,
Regional Director,
Atlanta Regional Office.

[F.R. Doc. 64-4751; Filed, May 12, 1964;
8:46 a.m.]

**INTERSTATE COMMERCE
COMMISSION**

[Ex Parte MC-65; Sub-No. 1]

**NATIONAL BUS TRAFFIC
ASSOCIATION, INC.**

**Petition Seeking Institution of Rule
Making Proceeding**

MAY 8, 1964.

Petitioner: NATIONAL BUS TRAFFIC ASSOCIATION, INC. Petitioner's

attorney: Drew L. Carraway, 618 Perpetual Building, Washington 4, D.C. By petition filed November 12, 1963, petitioner requests institution of rule making proceeding to consider, adopt, and promulgate rules and regulations with respect to applications seeking authority to perform special operations by motor carriers of passengers, the burden of proof to be required in such application proceedings, and certificates of public convenience and necessity authorizing the performance of special operations.

Petitioner asks consideration and adoption of the rules contained in the Appendix hereto relating to special operations, applications, and certificates.

Any interested person wishing to make representation in favor of, or against, the petition seeking the institution of a rule making proceeding, may do so by the submission of written data, views, or arguments. An original and 20 copies of such data, views, or arguments shall be filed with the Commission on or before June 29, 1964.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

APPENDIX

**PROPOSED RULES AND REGULATIONS RELATING TO
SPECIAL OPERATIONS APPLICATIONS AND CERTIFICATES**

(A) All Applications for Special Operations Certificates, pursuant to the proviso of section 207(a) of the Interstate Commerce Act, for authority to transport passengers in "Round-Trip Sightseeing or Pleasure Tours" on a territorial, state, county, area or regional basis, and shall specifically set forth the service proposed as follows:

"the transportation of passengers and their baggage in Special Operations consisting of Round-Trip, Sightseeing or Pleasure Tours designed for leisurely travel, including sightseeing stops enroute as distinguished from expeditious 'point to point' transportation, on which a group of passengers maintains its identity as a group for the duration of the tour; engages in group activities organized, supervised and controlled by the Carrier; is accompanied by a tour conductor or guide; and the price for which includes all of the following elements: (1) Meals, (2) lodging (for each night involved in the tour), (3) admissions to points or events of interest, and (4) the cost of transportation."

(B) All Applications for Special Operations Certificates which are not expressed in the exact language used in Paragraph A shall specify with particularity the specific points of origin and destination by name and not on a territorial, state, county, area or regional basis.

(C) Every Applicant for a Special Operations Certificate shall be required to prove public convenience and necessity for the specific authority sought, and in the case of Applications not expressed in the exact language used in Paragraph A, shall be required to prove that public convenience and necessity requires service from, to and between each origin and destination named in the application.

(D) Any Special Operations Certificates issued by the Commission pursuant to such Applications shall specify the conditions and limitations set out in Paragraphs A or B in order to prevent the establishment of Regular-Route Service under such Special Operations Certificates.

[F.R. Doc. 64-4758; Filed, May 12, 1964;
8:47 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

MAY 8, 1964.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39009: *Soybeans from points in Arkansas.* Filed by Chicago, Rock Island and Pacific Railroad Company (No. 894), for itself and on behalf of Louisiana & Arkansas Railway Company. Rates on soybeans, in carloads, from CRI&P points in Arkansas, to Baton Rouge and New Orleans, La. (for export).

Grounds for relief: Carrier competition.

Tariff: Supplement 6 to Chicago, Rock Island and Pacific Railroad Company tariff I.C.C. C-13660.

By the Commission.

[SEAL] HAROLD D. McCOY, Secretary.

[F.R. Doc. 64-4759; Filed, May 12, 1964; 8:47 a.m.]

[Notice 6]

APPLICATIONS FOR MOTOR CARRIER "GRANDFATHER" CERTIFICATE OF REGISTRATION

MAY 8, 1964.

The following applications are filed under section 206(a) (7) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.244, of the Commission's rules of practice published in the FEDERAL REGISTER, issue of December 8, 1962, page 12188, which provides, among other things, that protests to the granting of an application may be filed with the Commission within 30 days after the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. Protests shall set forth specifically the grounds upon which they are made and contain a concise statement of the interest of the protestant in the proceeding. Protests containing general allegations may be rejected. A protest filed under these special rules shall be served upon applicant's representative (or applicant, if no practitioner representing him is named). The original and six copies of the protests shall be filed with the Commission.

The special rules do not provide for publication of the operating authority, but the applications are available at the Commission's office in Washington, D.C., and the field offices.

Applications not included in this publication will be published at a later date.

ARIZONA

No. MC 98699 (Sub-No. 2) (REPUBLICATION), filed January 30, 1963, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant:

No. 94—4

ROBERT W. THARP, doing business as PRESCOTT TRANSFER & STORAGE COMPANY, 624 West Gurley Street, Prescott, Ariz., and DONALD G. RANDALL AND DOROTHY M. RANDALL, doing business as, PRESCOTT TRANSFER & STORAGE CO., 624 West Gurley Street, Prescott, Ariz., joint applicants. Applicant's representative: H. E. Ringle, 508 Goodrich Building, 14 North Central Avenue, Phoenix, Ariz.

NOTE: The purpose of this republication is to show that Donald G. Randall and Dorothy M. Randall, doing business as Prescott Transfer & Storage Co., are joint applicants.

By the Commission.

[SEAL] HAROLD D. McCOY, Secretary.

[F.R. Doc. 64-4760; Filed, May 12, 1964; 8:47 a.m.]

[Notice 638]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MAY 8, 1964.

Section A. The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

Section B. The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and prehearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING

SECTION A

No. MC 114045 (Sub-No. 134) (AMENDMENT), filed April 24, 1964, published in FEDERAL REGISTER, issue May 6, 1964, and republished as amended this issue. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Candles and confectionery products*, from Hackettstown, N.J. to New Orleans, La. and points in Tennessee.

NOTE: The purpose of this republication is to change the territorial description from "points in Louisiana" as previously published, to "New Orleans, La." as specified above, and to assign the application for hearing.

HEARING: May 21, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lacy W. Hinely.

No. MC 119990 (Sub-No. 1) (AMENDMENT), filed April 29, 1964, published FEDERAL REGISTER issue April 15, 1964, amended May 1, 1964, and republished as amended this issue. Applicant: MER-

CHANTS DELIVERY CO., a corporation, 1212 East 18th Street, Kansas City, Mo. Applicant's attorney: Lee Reeder, Suite 1010, 1012 Baltimore Avenue, Kansas City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, commodities in bulk, those requiring special equipment, and those injurious or contaminating to other lading), from, to, and between points within the following described area, and points located on or within five (5) miles of the following highways, from St. Joseph, Mo., over U.S. Highway 36, to junction U.S. Highway 75, thence over U.S. Highway 75 to U.S. Highway 24, thence over U.S. Highway 24, to junction U.S. Highway 77, thence over U.S. Highway 77 to junction U.S. Highway 40, thence over U.S. Highway 40, to junction U.S. Highway 59, thence over U.S. Highway 59 to junction U.S. Highway 169, thence over U.S. Highway 169, to junction U.S. Highway 160, thence over U.S. Highway 160 to U.S. Highway 75, thence over U.S. Highway 75, to junction U.S. Highway 166, thence over U.S. Highway 166 to U.S. Highway 59, thence over U.S. Highway 59 to Oklahoma Highway 10, thence over Oklahoma Highway 10 to junction Oklahoma Highway 10C, thence over Oklahoma Highway 10C to junction Missouri-Oklahoma state line, thence south on Missouri-Oklahoma state line to junction U.S. Highway 60, thence over U.S. Highway 60 to junction U.S. Highway 71, thence over U.S. Highway 71 to Harrisonville, thence over Missouri Highway 2, to junction Missouri Highway 131, thence over Missouri Highway 131, to junction Missouri Highway 58, thence over Missouri Highway 58, to U.S. Highway 50, thence over U.S. Highway 50 to Jefferson City, thence over U.S. Highway 63, to U.S. Highway 36, thence over U.S. Highway 36 to St. Joseph, Mo., the point of beginning.

NOTE: Applicant states the proposed service is restricted to (a) no service shall be rendered in the transportation of any package or article weighing more than fifty (50) pounds or exceeding 110 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment, (b) no service shall be rendered between department stores, mail order stores, specialty shops and retail stores, and the branches or warehouses of such stores, or between department stores, mail order stores, specialty shops and retail stores or the branches or warehouses thereof, on the one hand, and, on the other, the premises of the customers of such stores, and (c) no service shall be provided in the transportation of packages or articles weighing in the aggregate more than seventy (70) pounds from any one consignor to any one consignee on any one day. The purpose of this republication is to broaden the scope of the service as proposed and published previously, by enlarging the service in Doniphan and Brown Counties, Kans.

HEARING: June 1, 1964 at the Muehlebach Hotel, Kansas City, Mo., before Joint Board No. 180.

SECTION B

No. MC 13002 (Sub-No. 5), filed December 23, 1963. Applicant: FREMONT SMITH (IRIS F. SMITH AND JAMES D. SMITH, ADMINISTRATORS, doing

business as **FREMONT SMITH TRUCK LINE**, 5500 Military Road, Sioux City, Iowa. Applicant's attorney: Wallace W. Huff, 314 Security Building, Sioux City, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products and meat byproducts, dairy products and articles distributed by meat packinghouses*, as described in Sections A, B and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (2) *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in (1) above), between Sioux City, Iowa, and the plant site of Agar Packing Co. Inc., located at or near Mommence, Ill.

HEARING: June 17, 1964, at the U.S. Court Rooms, Sioux City, Iowa, before Examiner William J. O'Brien, Jr.

No. MC 17803 (Sub-No. 2), filed October 31, 1963. Applicant: **PREMIER TRUCKING SERVICE CO.**, a corporation, Box 156, Downtown Station, Omaha, Nebr. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *equipment, materials, and supplies, used in the conduct of such business*, except liquid commodities, in bulk, in tank vehicles, from the plant site of the Sioux City Dressed Pork Company, Sioux City, Iowa, to the plant site of the Agar Packing Company, Mommence, Ill.

HEARING: June 17, 1964, at the U.S. Court Rooms, Sioux City, Iowa, before Examiner William J. O'Brien, Jr.

No. MC 25174 (Sub-No. 2), filed July 8, 1963. Applicant: **MATHILDA McNAB AND K. L. McNAB**, a partnership, doing business as **P. A. McNAB AND SON**, 1120 Omaha Avenue, Worthington, Minn. Applicant's attorney: Robert A. Darling, Dolan Building, Worthington, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrolyzed poultry feathermeal, meat and bone scraps and poultry steamed bonemeal*, from Worthington, Minn., to points in Iowa, Nebraska and South Dakota.

HEARING: June 26, 1964, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner William J. O'Brien, Jr.

No. MC 35890 (Sub-No. 27) (**REPUBLICATION**), filed June 19, 1963, published **FEDERAL REGISTER** issue of October 23, 1963, and republished, this issue. Applicant: **BLODGETT UNCRATED FURNITURE SERVICE, INC.**, 845 Chestnut Street SW., Grand Rapids, Mich. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. By application filed June 19, 1963, as amended at the hearing, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or for-

ign commerce, as a common carrier by motor vehicle, over irregular routes, of *new furniture*, uncrated or in cartons, from points in Eldred Township, McKean County, Pa., to points in Chautauqua County, N.Y., and returned, damaged, defective, or rejected shipments thereof, on return. The application was referred to Examiner Lawrence E. Masoner for hearing and the recommendation of an appropriate order thereon. Hearing was held on December 17, 1963, at Buffalo, N.Y. At the hearing the application was amended to tack the authority sought herein with existing authority at points in Chautauqua County for the purpose of rendering through service to points in Illinois, Indiana and Michigan. A Report and Order, served March 22, 1964 which became effective April 22, 1964, finds that the present and future public convenience and necessity require operation by applicant as a common carrier by motor vehicle, in interstate or foreign commerce, over irregular routes, of *new furniture*, in cartons or uncrated, from points in Eldred Township, McKean County, Pa., to points in Chautauqua County, N.Y., with damaged and defective shipments thereof on return. The examiner further finds that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that an appropriate certificate should be issued after the lapse of 30 days from the date of publication in the **FEDERAL REGISTER** of the application as amended with the explanatory statement that applicant proposes to tack the authority sought therein with existing authority at points in Chautauqua County, N.Y., for the purpose of rendering through service from origin to points in Illinois, Indiana, and Michigan;

No. MC 61401 (Sub-No. 8), filed December 16, 1963. Applicant: **MARX TRUCK LINE, INC.**, Third and Plymouth Streets, Sioux City, Iowa. Applicant's attorney: Wallace W. Huff, 314 Security Building, Sioux City 1, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packing houses* as described in Sections A, B and C, Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Sioux City Dressed Pork, located at Sioux City, Iowa, to the plant site of Agar Packing Company, Inc., located at Mommence, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

Note: Applicant is also authorized to conduct operations as a common carrier in Certificate MC 118537; therefore dual operations may be involved.

HEARING: June 17, 1964, at the U.S. Court Rooms, Sioux City, Iowa, before Examiner William J. O'Brien, Jr.

No. MC 93639 (Sub-No. 2), filed December 26, 1963. Applicant: **MYERS TRUCKING COMPANY, R.F.D. No. 2,**

Wellington, Ohio. Applicant's attorneys: Herbert Baker and James R. Stiverson, 50 West Broad Street, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities*, between Wellington, Ohio, and points in Ohio, and (2) *household goods, office furniture and fixtures*, between points in Lorain County, Ohio.

Note: The proposed operations will be restricted against transportation of household goods, office furniture and fixtures to or from places (other than Wellington, Ohio) where similar service is already rendered, namely, Lorain, Oberlin, and Elyria, Ohio.

HEARING: June 15, 1964, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117, or, if the Joint Board waives its right to participate, before Examiner John L. York.

No. MC 95540 (Sub-No. 560), filed November 13, 1963. Applicant: **WATKINS MOTOR LINES, INC.**, Albany Highway, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, from Sioux Falls, and Madison, S. Dak., to points in Alabama, Louisiana, Mississippi, and Tennessee.

HEARING: June 22, 1964, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner William J. O'Brien, Jr.

No. MC 97552 (Sub-No. 1), filed November 26, 1963. Applicant: **VERNON I. OLSON**, Oldham, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Sioux Falls, S. Dak., and Oldham, S. Dak.; (a) from Sioux Falls over U.S. Highway 77 to junction South Dakota Highway 34, thence over South Dakota Highway 34 to junction U.S. Highway 81, thence over U.S. Highway 81 to junction South Dakota Highway 32, and thence over South Dakota Highway 32 to Oldham, and return over the same route, serving no intermediate points, and (b) **AS AN ALTERNATE ROUTE:** from Sioux Falls, S. Dak. over South Dakota Highway 38 to junction South Dakota Highway 19, thence over South Dakota Highway 19 to junction U.S. Highway 81, thence over U.S. Highway 81 to junction South Dakota Highway 32, and thence over South Dakota Highway 32 to Oldham, and return over the same route.

HEARING: June 26, 1964, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Joint Board No. 148, or, if the Joint Board waives its right to participate, before Examiner William J. O'Brien, Jr.

No. MC 108207 (Sub-No. 119), filed September 4, 1963. Applicant: **FROZEN FOOD EXPRESS**, 318 Cadiz Street, Dallas, Tex. Applicant's attorney: Ralph W. Pulley, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, dairy products, and articles distributed by meat packing houses*, as defined by the Commission in

Sections A, B, C, and D, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Sioux Falls and Madison, S. Dak., to points in Oklahoma, Texas, Louisiana, Mississippi, Arkansas, and Memphis, Tenn.

HEARING: June 22, 1964, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner William J. O'Brien, Jr.

No. MC 111812 (Sub-No. 223), filed October 7, 1963. Applicant: MIDWEST COAST TRANSPORT, INC., Post Office Box 747, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Toys, plastic wreaths and fireworks, Classes B and C*, from Los Angeles and San Francisco, Calif., to Denver, Colo., Kansas City, Kans., Kansas City, Mo., Omaha and Lincoln, Nebr., Des Moines, Iowa, and Sioux Falls, S. Dak., and (2) *toys, toy novelties, hobbies and crafts, playground apparatus and juvenile furniture*, from points in Connecticut, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Maryland, Pennsylvania, Ohio, Indiana, Kentucky, Michigan (Lower Peninsula), Wisconsin, and Missouri to Sioux Falls, S. Dak.

NOTE: Common control may be involved.

HEARING: June 24, 1964, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner William J. O'Brien, Jr.

No. MC 111812 (Sub-No. 226), filed October 9, 1963. Applicant: MIDWEST COAST TRANSPORT, INC., Post Office Box 747, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furnaces, water heaters, space heaters, air conditioners and parts and accessories therefor*, from Wichita, Kans., to Sioux Falls, S. Dak.

HEARING: June 25, 1964, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner William J. O'Brien, Jr.

No. MC 113678 (Sub-No. 46), filed June 3, 1963. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver 16, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, packing house products and articles distributed by packing houses, and frozen foods*, from Sioux City, Iowa, to points in California, Oregon, and Washington.

HEARING: June 15, 1964, at the U.S. Court Rooms, Sioux City, Iowa, before Examiner William J. O'Brien, Jr.

No. MC 113678 (Sub-No. 68) (CORRECTION), filed December 13, 1963, published FEDERAL REGISTER issue December 25, 1963, amended January 29, 1964 and republished as corrected this issue. Applicant: CURTIS, INC., 770 East 51st Street, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Imported meats*, from New York, N.Y., and points in New York, and New Jersey, in the New York Commercial zone, as described by the

Commission, and Philadelphia, Pa., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, on and west of U.S. Highway 220, points in West Virginia, and points in Wisconsin.

NOTE: The purpose of this republication is to include the origin point of Philadelphia, Pa., inadvertently omitted from the previous publication.

CONTINUED HEARING: June 22, 1964, at the Pittsburgh Hilton Hotel, Pittsburgh, Pa., before Examiner John L. York. This to be held on a consolidated record with MC 113651 (Sub-No. 61), et al.

No. MC 114019 (Sub-No. 109) (RE-PUBLICATION), filed November 1, 1963, published FEDERAL REGISTER issue of December 25, 1963, and republished this issue. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. By application filed November 1, 1963, as amended at the hearing, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle over irregular routes, of pressed wood pulp, impregnated, and buffing and polishing compounds, and bird seed, bird gravel, and fish and turtle foods, in mixed loads with foodstuffs, restricted to 20 percent of the weight of the total shipment, from Rochester, N.Y., to points in Ohio, Pennsylvania, Indiana, Illinois, Michigan, and Louisville, Ky., and St. Louis, Mo. The application was referred to Examiner Dallas B. Russell for hearing and the recommendation of an appropriate order thereon. Hearing was held on February 11, 1964, at New York, N.Y. At the hearing, applicant requested an amendment to the application so as to authorize the transportation of certain additional commodities, namely bird seed, bird gravel, and fish and turtle food. The addition of these commodities results in a broadening of the application. The amendment was allowed by the examiner subject to the condition that the recommended findings would be published in the FEDERAL REGISTER. A Report and Order served, March 30, 1964, which became effective May 6, 1964, finds that the present and future public convenience and necessity require operation by applicant as a common carrier by motor vehicle, in interstate or foreign commerce, over irregular routes, of *pressed wood, impregnated, and buffing and polishing compounds, and bird seed, bird gravel, and fish and turtle foods*, in mixed loads with foodstuffs, from Rochester, N.Y., to Louisville, Ky., St. Louis, Mo., and to points in Ohio, Pennsylvania, Indiana, Illinois, and Michigan. The examiner further finds that subject to a determination in No. MC-C-4201 of the issue of fitness favorable to applicant, that applicant is fit, willing, and able properly to perform the service described above, and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that the issuance of a certificate should be withheld until

after the lapse of 30 days from the date of publication in the FEDERAL REGISTER of the authority recommended to be granted herein. The examiner further finds that in the event of a determination in No. MC-C-4201 of the issue of fitness adverse to applicant the instant application should be denied.

No. MC 114211 (Sub-No. 40), filed November 1, 1963. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and implements (other than hand)*, (2) *attachments for agricultural machinery implements (other than hand)*, (3) *equipment, designed for use in conjunction with tractors*, (4) *Industrial attachments*, and (5) *parts of the commodities specified in (1), (2), (3), and (4) above*, when incidental to and moving in the same vehicle with said commodities, from Horicon, Wis., to points in Colorado, Iowa, Illinois, Kansas, Missouri, New Mexico, Oklahoma, and Texas, and (6) *rejected shipments* will be transported on return.

HEARING: June 11, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner James A. McKiel.

No. MC 114290 (Sub-No. 6), (RE-PUBLICATION), filed January 5, 1962, published FEDERAL REGISTER, issue of January 17, 1962. Applicant: EXLEY EXPRESS, INC., 2204 Southeast Eighth Avenue, Portland, Ore. Applicant's attorney: James T. Johnson, 609-11 Norton Building, Seattle, Wash. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods and potato products, not frozen*, (1) from points in Oregon, Washington, and Idaho, to points in California, and Phoenix and Tucson, Ariz., and (2) from points in Idaho to points in Oregon and Washington. A Report of the Commission, Division 1, decided April 14, 1964, served April 20, 1964, in No. MC 263 (Sub-No. 134), *Garrett Freightlines, Inc., Extension—Frozen Foods*, covers some 20 applications which were held on a consolidated record, and finds that applicant in No. MC-114290 (Sub-No. 6), is entitled to a certificate to transport *frozen fruits, frozen berries, frozen vegetables, and frozen potato products*, from points in Oregon and Washington to points in California and Phoenix, Safford and Tucson, Ariz., and that the issuance of such certificate should be withheld for a period of 30 days from the date of publication of a notice in the FEDERAL REGISTER describing the service to be authorized thereby, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 116949 (Sub-No. 3), filed July 16, 1963. Applicant: AVERY J. BURNS, Dakota City, Nebr. Applicant's attorney: Paul W. Deck, 222 Davidson Building, Sioux City 1, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Molasses*, in bulk, in tank vehicles, from Sioux City, and Muscatine,

Iowa, Grand Island, Nebr., and Moorhead and St. Paul, Minn., to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota.

NOTE: Applicant states the proposed service will be for the account of Industrial Molasses Corporation.

HEARING: June 19, 1964, at the U.S. Court Rooms, Sioux City, Iowa, before Examiner William J. O'Brien, Jr.

No. MC 117686 (Sub-No. 33), filed August 15, 1963. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, Iowa. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packing-houses*, as described in Sections A, B, C and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209, from Sioux Falls and Madison, S. Dak., to points in Alabama, Louisiana, Mississippi, and Tennessee.

HEARING: June 22, 1964, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner William J. O'Brien, Jr.

No. MC 125026 (Sub-No. 3) (REPUBLICATION), filed September 4, 1963, published *FEDERAL REGISTER* issue of November 20, 1963, and republished this issue. Applicant: CARRACINO TRUCKING COMPANY, INC., 355 Delaware Avenue, Union, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark 2, N.J. By application filed September 4, 1963, applicant seeks a permit authorizing operation, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes, of liquid waste materials injurious or contaminating to other lading, in containers, from Albany, Schenectady, Oceanside, Pearl River, Rensselaer, Tuckahoe, West Haverstraw, N.Y., and Hartford, East Hartford, and Stamford, Conn., to New Market, N.J.

The application was referred to Examiner Armin G. Clement for hearing and the recommendation of an appropriate order thereon. Hearing was held on January 7, 1964, at New York, N.Y. At the hearing, counsel for applicant proposed an amendment striking the word "liquid" from the commodity description, constituting an enlargement of the application. A Report and Order, served March 30, 1964, which became effective May 6, 1964, finds that applicant is fit, willing, and able properly to perform the service of a contract carrier by motor vehicle and to conform to the provisions of the Interstate Commerce Act and with the lawful requirements, rules and regulations of the Commission thereunder, and that operation, in interstate or foreign commerce by applicant as a contract carrier by motor vehicle, under a continuing contract with Chemsol, Inc., of New Market, N.J., of waste materials (residue discarded by acid and chemical industry) injurious or contaminating to other lading, in containers, from Albany, Schenectady, Oceanside, Pearl River, Rensselaer, Tuckahoe, and West Haverstraw, N.Y.,

and Hartford, East Hartford, and Stamford, Conn., to New Market, N.J., will be consistent with the public interest and the national transportation policy; that an appropriate permit should be granted after the lapse of 30 days from the date of republication in the *FEDERAL REGISTER* of a corrected statement of the authority sought herein, provided that no petitions for further hearing are received during the period.

No. MC 125301 (Sub-No. 1), filed November 12, 1963. Applicant: UTLEY LUMBER COMPANY, INC., Post Office Box 207, Steele, Mo. Applicant's attorney: James N. Clay III, 340 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Mississippi, Alabama, Arkansas, Louisiana, and Memphis, Tenn., to points in Indiana, Missouri, Illinois, Michigan, Ohio, Wisconsin, Iowa, Kentucky (except from Memphis, Tenn., to Louisville, Ky.), Tennessee, and Arkansas, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: Applicant states that no intrastate transportation is intended.

HEARING: July 8, 1964, at the Robert E. Lee Hotel, Jackson, Miss., before Examiner Raymond V. Sar.

No. MC 125611, filed August 16, 1963. Applicant: KENNETH LINEBACK, Viborg, S. Dak. Applicant's attorney: Don A. Bierle, 308 Walnut Street, Yankton, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oyster shells*, in bags and in bulk, from Houston, Tex., to points in South Dakota.

NOTE: Applicant states he proposes to transport exempt and unprocessed agricultural commodities, on return.

HEARING: June 19, 1964, at the U.S. Court Rooms, Sioux City, Iowa, before Examiner William J. O'Brien, Jr.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-8730 (Correction) (BRANCH MOTOR EXPRESS CO.—MERGER—MORGAN TRUCKING CO., INC.), published in the May 6, 1964, issue of the *FEDERAL REGISTER*, on page 5983. The operating rights retained by MORGAN TRUCKING CO., INC., after consummation of the transaction in No. MC-F-7697 (BRANCH MOTOR EXPRESS CO.—CONTROL—MORGAN TRUCKING CO., INC.), consummated March 27, 1964, sought to be merged: *General commodities*, excepting, among others, household goods and commodities

in bulk, as a *common carrier* over irregular routes, from Baltimore and Frederick, Md., Nutley and Sewaren, N.J., points within 15 miles of Frederick, Md., those in Montgomery County, Pa., those in the Philadelphia, Pa., commercial zone, as defined by the Commission in 17 M.C.C. 533, and those in Mercer and Gloucester Counties, N.J., to points in Rockingham County, N.C., between Greensboro, N.C., and points in North Carolina within 30 miles of Greensboro, on the one hand, and, on the other, Kingsport, Tenn., Jessup and Baltimore, Md., Greenwood, Del., Philadelphia and East York, Pa., Newark, N.J., New York, N.Y., points in North Carolina on and west of a line beginning at the Virginia-North Carolina State line and extending along U.S. Highway 1 to Raleigh, thence along U.S. Highway 401 to Fayetteville, thence along U.S. Highway 301 via Lumberton to the North Carolina-South Carolina State line, those in South Carolina, and the District of Columbia, from New York, N.Y., points in Westchester and Nassau Counties, N.Y.; and Hudson and Essex Counties, N.J., to Philadelphia, Ambler, and Hatboro, Pa., from Philadelphia, Ambler, and Hatboro, Pa., to Riverhead, L.I., N.Y., New York, N.Y., Red Bank, N.J., points in Nassau and Westchester Counties, N.Y., points in Passaic, Bergen, Essex, Hudson, Middlesex, and Union Counties, N.J., between Greensboro, N.C., and points within 5 miles of Greensboro, on the one hand, and, on the other, York, Pa., Baltimore, Md., Philadelphia, Pa., and points within 20 miles of Philadelphia, *Restriction*: (1) no on-line or local service shall be performed in connection with traffic having both origin and destination south of the Maryland-Virginia State line, and (2) no service shall be performed between those portions of New York and New Jersey lying within 35 miles of Columbus Circle in New York City, and Philadelphia, Ambler, and Hatboro, Pa.; between Kingsport, Tenn., and Greenland, Tenn.

No. MC-F-8731. Authority sought for purchase by A-P-A TRANSPORT CORP., 2110 85th Street, North Bergen, N.J., of the operating rights of MERCHANTS FREIGHT, INC., 2704 East Butler Street, Philadelphia 37, Pa., and for acquisition by ARTHUR E. IMPERATORE, also of North Bergen, N.J., of control of such rights through the purchase. Applicants' attorneys and representatives: Zelby & Burstein, 160 Broadway, New York 38, N.Y., and Capehart & Scatchard, 217 North Sixth Street, Camden, N.J. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in the Philadelphia, Pa., Commercial Zone, as defined by the Commission, on the one hand, and, on the other, points in Camden, Gloucester, Burlington, Mercer, Ocean, Monmouth, Middlesex, and Somerset Counties, N.J., between points in Camden, Gloucester, Burlington, Mercer, Ocean, Monmouth, Middlesex, and Somerset Counties, N.J. Vendee is authorized to operate as a *common carrier* in New Jersey, New York, Connecticut, and Pennsylvania.

Application has been filed for temporary authority under section 210a(b).

No. MC-F-8732. Authority sought for purchase by FULLERTON TRANSFER AND STORAGE LIMITED, INC., 1122 East Midlothian Boulevard, Youngstown 7, Ohio, of the operating rights and certain property of GREAT LAKES STORAGE & MOVING COMPANY, Post Office Box 3979, Cleveland 20, Ohio. Applicants' attorneys: Herbert Baker and Robert T. Fitzsimons, 50 West Broad Street, Columbus 15, Ohio. Operating rights sought to be transferred: *Household goods*, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, *office furniture and equipment*, and *store fixtures*, as a *common carrier*, over irregular routes, between points in Cuyahoga County, Ohio, on the one hand, and, on the other, St. Louis, Mo., Covington, Ky., and points in Kentucky within ten miles of Covington, those in Ohio, Indiana, Illinois, Pennsylvania, West Virginia, New York, Connecticut, Massachusetts, and New Jersey, and those in Michigan, on and south of U.S. Highway 12. Vendee is authorized to operate as a *common carrier* in Ohio, Pennsylvania, New York, and West Virginia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8733. Authority sought for purchase by THE EL DORADO TRANSPORTATION COMPANY, INCORPORATED, 1718 Boston Post Road, Milford, Conn., of the operating rights and property of B. B. MOTOR EXPRESS, INCORPORATED, 136 Whiting St., Plainville, Conn., and for acquisition by JOHN T. MARINO, 170 Overlook Drive, Orange, Conn., ANGELO MARINO, 5 Grassland Road, Milford, Conn., VICTOR L. RUSSO, 325 O'Connor Drive, North Babylon, N.Y., and JOHN A. RUSSO, 63-37 83d Place, Middle Village, N.Y., of control of such rights and property through the purchase. Applicants' representatives: William D. Traub, 10 East 40th Street, New York 16, N.Y., and Ralph A. Buccini, 136 Whiting Street, Plainville, Conn. Operating rights sought to be transferred: Under a certificate of registration in No. MC-120109 Sub-1, covering the transportation of general commodities, as a *common carrier*, in intrastate commerce, within the State of Connecticut. Vendee is authorized to operate as a *common carrier* in Connecticut, New York, Massachusetts, New Jersey, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-52889 Sub-4 to be handled concurrently.

No. MC-F-8734. Authority sought for purchase by RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., of the operating rights and property of RAY HUME, doing business as RAY HUME TRUCKING, Rangely, Colo., and for acquisition by J. W. RINGSBY, also of Denver, Colo., of control of such rights and property through the purchase. Applicants' attorneys: Alvin J. Meiklejohn, Jr., 526 Denham Building, Denver, Colo., 80202, and Truman A. Stockton, Jr., The 1650 Grant Street

Building, Denver, Colo., 80203. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Rawlins, Wyo., and Slater, Colo., serving all intermediate points, except that no service is to be rendered at points on U.S. Highway 30 except for pickups for points not on U.S. Highway 30, or for deliveries of shipments picked up at points not on U.S. Highway 30, between Denver, Colo., and Baggs, Wyo., serving the intermediate points of Battle Creek and Slater, Colo., and Savery and Dixon, Wyo., without restriction, and to intermediate and off-route points within 20 miles of Slater and Baggs, other than Battle Creek, Savery and Dixon, restricted to delivery only, and serving intermediate points on the above-specified routes within 20 miles of the Colorado-Wyoming State line, and off-route points in Carbon County, Wyo., within 20 miles of the Colorado-Wyoming State line, those in that part of Moffat County, Colo., on and east of the Little Snake River, and those in Routt and Jackson Counties, Colo., west of Colorado Highway 125 and the western portion of Colorado Highway 127, within 20 miles of the Colorado-Wyoming State line;

General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, other than coal, commodities requiring special equipment, and those injurious or contaminating to other lading, between Slater, Colo., and Steamboat Springs, Colo., between Slater, Colo., and Craig, Colo., serving the intermediate points on the above-specified routes within 20 miles of the Colorado-Wyoming State line, and off-route points in Carbon County, Wyo., within 20 miles of the Colorado-Wyoming State line, those in that part of Moffat County, Colo., on and east of the Little Snake River, and those in Routt and Jackson Counties, Colo., west of Colorado Highway 125 and the western portion of Colorado Highway 127, within 20 miles of the Colorado-Wyoming State line; *fresh fruits and vegetables*, over irregular routes, from Grand Junction, De Beque, and Fallsade, Colo., and points within five miles of each, to certain points in Wyoming and Colorado; *crude oil*, from Hiawatha, Colo., and points in that part of Moffat County, Colo., and Sweetwater County, Wyo., within 50 miles of Hiawatha, to Baggs, Dixon and Savery, Wyo., and Slater, Colo.; *wool*, from points in Carbon County, Wyo., to Craig, Colo.; *lumber*, from points in Routt County Colo., to Dixon, Wyo.; *livestock*, from points in Carbon and Sweetwater Counties, Wyo., to Denver, Colo., between points in that part of Carbon and Sweetwater Counties, Wyo., south of U.S. Highway 30, on the one hand, and, on the other, points in Routt, Moffat, and Rio Blanco Counties, Colo.; and *feed*, between points in Carbon County, Wyo., on the one hand, and, on the other, points in Moffat and Routt Counties, Colo. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and

Hawaii) and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8735. Authority sought for purchase by P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary St., Waltham, Mass., of a portion of the operating rights and certain property of J. E. FALTIN MOTOR TRANSPORTATION, INC., 515 South Willow St., Manchester, N.H., and for acquisition by FRANCIS P. MUTRIE, AND JAMES E. MUTRIE, both of Waltham, Mass., of control of such rights and property through the purchase. Applicants' attorney: Kenneth B. Williams, 111 State Street, Boston, Mass., 02109. Operating rights sought to be transferred: *Commodities in bulk*, except petroleum products in tank trucks, as a *common carrier*, over regular routes, between Concord, N.H., and Boston, Mass., between Lowell, Mass., and Boston, Mass., between North Chelmsford, Mass., and Boston, Mass., serving all intermediate and certain off-route points; *commodities in bulk*, except petroleum products, in bulk, over irregular routes, between Manchester, N.H., and points within 20 miles of Manchester, on the one hand, and, on the other, certain points in New York, Newark, N.J., Providence, R.I., and points within ten miles of Providence, Springfield and Worcester, Mass., and points in Massachusetts within 15 miles of each, between Boston, Mass., and points within 20 miles of the State House in Boston, on the one hand, and, on the other, points south of U.S. Highway 302 in Belknap, Carroll, Grafton, Sullivan and Cheshire Counties, N.H.; *petroleum products*, in bulk, in tank trucks, from Beverly, Mass., to Springfield, Vt., from Revere, Mass., to Windsor, Vt., between Boston, Mass., and points within 20 miles of Boston, on the one hand, and, on the other, certain points in New Hampshire, from Providence, R.I., and points within ten miles of Providence, to certain points in New Hampshire, from Dracut, Mass., to certain points in New Hampshire; *rejected shipments of petroleum products*, in bulk, in tank trucks, from certain points in New Hampshire, to Dracut, Mass.; *bituminous road building materials*, between points in Maine, between points in Connecticut, from Malden and Everett, Mass., to points in New Hampshire, from Providence, R.I., to Hartford, Conn.; *materials and supplies used in the cleaning and scouring of wool*, in bulk, from Boston, Mass., to Branch River and Greystone, R.I., and points in Massachusetts; *petroleum products*, in bulk, in tank vehicles, from Revere, Mass., to Berlin and Whitefield, N.H. Vendee is authorized to operate as a *common carrier* in Massachusetts, Rhode Island, New York, Connecticut, Maine, New Hampshire, Vermont, New Jersey, Pennsylvania, Delaware, Illinois, Michigan, Ohio, Kentucky, South Carolina, North Carolina, Maryland, Virginia, West Virginia, Indiana, Wisconsin, Georgia, California, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

NOTE: HEMINGWAY TRANSPORT, INC., temporarily controls J. E. FALTIN MOTOR

TRANSPORTATION, INC., through management, in Docket No. MC-F-8588, granted November 22, 1963.

No. MC-F-8736. Authority sought for purchase by HAJEK TRUCKING CO., INC., 7635 West Lawndale Avenue, Summit, Ill., of the operating rights of JOHN STANTON GOLDING, doing business as GOLDING TRANSFER LINE, 907 Westchester Boulevard, Westchester, Ill., and for acquisition by STEVE ZWARYCZ, 5601 South Troy Street, Chicago, Ill., of control of such rights through the purchase. Applicant's attorney: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill., 60602. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in the CHICAGO, ILL., COMMERCIAL ZONE, as defined by the Commission, in 1 M.C.C. 673. Vendee is authorized to operate as a *common carrier* in Indiana, Illinois, Kentucky, Ohio, Iowa, Missouri, and Michigan. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8738. Authority sought for purchase by JONES MOTOR CO., INC., Bridge Street and Schuylkill Road, Spring City, Pa., of the operating rights and property of ALLAN J. WILSON, doing business as A. TOWLE COMPANY (ALLAN J. WILSON, JR., HERBERT C. SPLANE, and LELAND F. WILSON, ADMINISTRATORS), 39 Miller Street, Charlestown, Mass., and for acquisition by WM. S. JONES, R.D. No. 2, Phoenixville, Pa., R. C. JONES, JR., 1304 Monroe Street, Wyomissing, Pa., H. ELLIS JONES, 440 Highland Road, Pottstown, Pa., ALVIN JONES, 3053 Tremont Street, Allentown, Pa., and H. A. HERSHEY, 751 Spruce Street, Royersford, Pa., of control of such rights and property through the purchase. Applicants' attorneys and representative respectively: Rice, Carpenter & Carraway, 618 Perpetual Building, Washington 4, D.C., and H. A. Hershey, Vice President, Jones Motor Co., Inc., Spring City, Pa. Operating rights sought to be transferred: *General commodities*, excepting, among others, commodities in bulk, but not excepting, household goods, as a *common carrier* over regular routes, between Boston, Mass., and Laconia, N.H., between Boston, Mass., and Philadelphia, Pa., serving all intermediate and certain off-route points, between Boston, Mass., and New Haven, Conn., serving certain intermediate and off-route points, between Boston, Mass., and other points in Massachusetts, between Newburyport, Mass., and Worcester, Mass., between Fitchburg, Mass., and Worcester, Mass., serving all intermediate and certain off-route points, between North Chelmsford, Mass., and Chelmsford, Mass., serving all intermediate points, between New Bedford, Mass., and Barre, Mass., between Sturbridge, Mass., and Hartford, Conn., serving all intermediate and certain off-route points;

General commodities, excepting, among others, commodities in bulk, but not excepting, household goods, over irregular routes, between Boston, Mass., and points

in Massachusetts within 30 miles of Boston, on the one hand, and, on the other, points in Massachusetts, New Hampshire, and Connecticut, other than points in Litchfield County, Conn.; *advertising matter, boots and shoes, boot and shoe factory supplies, cotton piece goods, cotton and cotton waste, household goods, insurance company salvage merchandise, livestock, leather, heavy machinery, printed matter (including books), textile mill supplies, wool, woolens, and roofing materials*, between points in Massachusetts, New Hampshire, Rhode Island, Connecticut, and those in Cape May, Atlantic, Burlington, and Ocean Counties, N.J., on and south of New Jersey Highway 40, between points in the above-described territory, on the one hand, and, on the other, Wilmington, Del., Baltimore, Md., Washington, D.C., and certain points in New York and Pennsylvania. Vendee is authorized to operate as a *common carrier* in New Jersey, Pennsylvania, New York, Maryland, Connecticut, Massachusetts, Rhode Island, Delaware, Michigan, Ohio, Illinois, Indiana, West Virginia, Virginia, North Carolina, Tennessee, South Carolina, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8739. Authority sought for control and merger by NELSON FREIGHTWAYS, INC., 1400 Walnut Street, Camden, N.J., of the operating rights and property of CROWE & CO., INC., Post Office Box 1190, Waterbury, Conn., and for acquisition by CLIFFORD J. O. NELSON, 9 Old Farm Road, Dover, Mass., and CHARLES G. CHILBERG, 33 Reed Street, Rockville, Conn., of control of such rights and property through the transaction. Applicants' attorneys and representative respectively: Vernon V. Baker, 1411 K Street NW., Washington 5, D.C., Mary E. Kelley, 10 Tremont Street, Boston, Mass., and Harry Albert, 144 Grove Street, Waterbury, Conn. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Waterbury, Conn., and Albany, Valatie, and Rhinebeck, N.Y., between Waterbury, Conn., and Peekskill and Poughkeepsie, N.Y., serving all intermediate and certain off-route points; between Albany, N.Y., and Yonkers, N.Y., serving the intermediate point of Ossining, N.Y., restricted to delivery of shipments of brass, copper, and bronze, and articles manufactured therefrom, originating at Waterbury and Waterville, Conn., and the pickup of shipments of brass, copper, and bronze scrap materials, empty containers, reels, spools, and refused or rejected shipments of brass, copper, and bronze, and articles manufactured therefrom, destined to Waterbury or Waterville, Conn.; between Newark, N.J., and Holyoke, Mass., between New Haven, Conn., and Holyoke, Mass., between Waterbury, Conn., and New London, Conn., serving all intermediate and certain off-route points; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between points on the

regular routes in New York and Massachusetts, other than those in Westchester County, N.Y., on the one hand, and, on the other, certain points in Connecticut, between points in Connecticut, on the one hand, and, on the other, New York, New Jersey, and Massachusetts. NELSON FREIGHTWAYS, INC., is authorized to operate as a *common carrier* in New Jersey, Pennsylvania, New York, Delaware, Maryland, Virginia, Connecticut, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and the District of Columbia, and as a *contract carrier* in New Jersey, Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, Pennsylvania, New York, Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8740. Authority sought for control and merger by NELSON FREIGHTWAYS, INC., 1400 Walnut Street, Camden, N.J., of the operating rights and property of GILBERTVILLE TRUCKING CO., INC., 28 East Main Street, Rockville, Conn., and for acquisition by CLIFFORD J. O. NELSON, 9 Old Farm Road, Dover, Mass., and CHARLES G. CHILBERG, 33 Reed Street, Rockville, Conn., of control of such rights and property through the transaction. Applicants' attorneys: Vernon V. Baker, 1411 K Street NW., Washington 5, D.C., and Mary E. Kelley, 10 Tremont Street, Boston, Mass. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Lowell, Mass., and Boston, Mass., serving certain intermediate and off-route points; *sanitary napkins, facial tissues, and paper boxes*, between New York, N.Y., and Wilmington, Del., serving the intermediate point of Philadelphia, Pa., and the off-route point of Rockland, Del.; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between points in Massachusetts, between the Town of Hardwick, Mass., on the one hand, and, on the other, New York, N.Y., and points in New York, and New Jersey within 20 miles of New York, N.Y. between Palmer, Mass., and points in Massachusetts, within ten miles of Palmer, on the one hand, and, on the other, points in Connecticut and Rhode Island, between Palmer and Monson, Mass., on the one hand, and, on the other, points in Massachusetts within five miles of Palmer and Monson; *household goods*, as defined by the Commission, between Palmer, Mass., and points in Massachusetts within ten miles of Palmer, on the one hand, and, on the other, points in Vermont, between Hardwick, Mass., on the one hand, and, on the other, points in Connecticut, New Jersey, New York, and Rhode Island; and *livestock*, between Palmer, Mass., and points in Massachusetts within ten miles of Palmer, on the one hand, and, on the other, points in Vermont. NELSON FREIGHTWAYS, INC., is authorized to operate as a *common carrier* in New Jersey, Pennsylvania, New York, Delaware, Maryland, Virginia, Connecticut, Maine, New Hampshire, Vermont, Massachu-

setts, Rhode Island, and the District of Columbia, and as a *contract carrier* in New Jersey, Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, Pennsylvania, New York, Virginia, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8741. Authority sought for purchase by GLENN McCLENDON TRUCKING COMPANY, INC., Opelika Road, La Fayette, Ala., of the operating rights of WOODSON VINSON McCLENDON, JR., and WADE GAINES McCLENDON, a partnership, doing business as W. V. AND W. G. McCLENDON, La Fayette, Ala., and for acquisition by GLENN McCLENDON and WALTER McCLENDON, both of La Fayette, Ala., of control of such rights through the purchase. Applicants' attorneys: D. H. Markstein, Jr., 818 Massey Building, Birmingham 3, Ala., and A. Alvis Layne, Pennsylvania Building, Washington 4, D.C. Operating rights sought to be transferred: *Textile products*, as a *common carrier*, over irregular routes, from La Fayette, Ala., to points in Tennessee, Georgia, and Alabama; and *empty yarn cones*, *empty yarn cores*, and *empty yarn tubes*, from points in Tennessee, Georgia, and Alabama to La Fayette, Ala. Vendee is authorized to operate as a *common carrier* in Georgia, Alabama, Florida, Mississippi, North Carolina, Tennessee, South Carolina, Arkansas, Louisiana, Texas, Kentucky, and Indiana. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8743. Authority sought for purchase by CHEMICAL HAULERS, INC., 5732 Kennedy Avenue, Hammond, Ind., of a portion of the operating rights of SPROUT & DAVIS, INC., 7358 South Shore Drive, Chicago, Ill., and for acquisition by WM. J. GATELY, also of Hammond, Ind., of control of such rights through the purchase. Applicants' attorney: Howell Ellis, 616-18 Fidelity Building, Indianapolis 4, Ind. Operating rights sought to be transferred: *Chemicals*, in bulk, as a *common carrier*, over irregular routes, from the plant site of Amoco Chemicals Corporation, about six miles southwest of Joliet, Ill., to points in the United States (except Grand Rapids and Kalamazoo, Mich., the port of entry on the United States Boundary line, at or near Port Huron, Mich., points in Harris County, Tex., points in that part of Tennessee on and east of U.S. Highway 27, and points in North Carolina, South Carolina, Virginia, Alaska, and Hawaii); and *phosphoric acid*, in bulk, in tank vehicles, from Villa Park, Ill., and points within five miles thereof (except points within the Chicago, Ill., Commercial Commercial Zone, as defined by the Commission), to points in Indiana, Kentucky, Michigan, Minnesota, Ohio, and Wisconsin. Vendee is authorized to operate as a *common carrier* in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Wisconsin, Ohio, Kansas, Oklahoma, Nebraska, Kentucky, and Tennessee. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F-8737. Authority sought for control by ROY MATSON, doing business as MATSON TRUCK LINE, 1407 St. John, Albert Lea, Minn., of HIGHWAY 56 TRANSIT LINES, INC., 1407 St. John, Albert Lea, Minn. Applicants' attorney: Will S. Tomljanovich, 2327 Wycliff, St. Paul, Minn., 55114. Operating rights sought to be controlled: Passengers and their baggage, in round-trip charter operations, as a *common carrier*, over irregular routes, beginning and ending at Austin and West Concord, Minn., and extending to points in Iowa, Illinois, Wisconsin, Nebraska, South Dakota, Missouri, Colorado, and North Dakota. ROY MATSON, doing business as MATSON TRUCK LINE, is authorized to operate as a *common carrier*, in Iowa, Minnesota, Illinois, Wisconsin, Kansas, Nebraska, North Dakota, South Dakota, Indiana, Ohio, Arkansas, Colorado, Missouri, Oklahoma, Texas, and Michigan. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8742. Authority sought for control by JOHN ALMEIDA, JR., 391 Bolton Street, New Bedford, Mass., of ALMEIDA BUS LINES, INC., 391 Bolton Street, New Bedford, Mass. Applicants' attorney: Mary E. Kelley, 10 Tremont Street, Boston, Mass., 02108. Operating rights sought to be controlled: In pending Docket No. MC-124935, covering the transportation of passengers and their baggage, express, mail and newspapers, as a *common carrier* over regular routes, between points in Massachusetts. JOHN ALMEIDA, JR., holds no authority from this Commission. However, he controls SOUTHERN MASSACHUSETTS BUS LINES, INC., through stock ownership, which is authorized to operate as a *common carrier* in Massachusetts, Maine, New Hampshire, Rhode Island, Connecticut, New York, and New Jersey. Application has not been filed for temporary authority under section 210a(b).

NOTE: A motion for dismissal has been filed simultaneously with the above application for lack of jurisdiction.

No. MC-F-8744. Authority sought for control by TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas, Tex., 75207, of (A) VIRGINIA STAGE LINES, INCORPORATED, 114 Fourth Street SE., Charlottesville, Va., (B) SAFEWAY TRAILS, INC., 400 Trailways Building, 1200 Eye Street NW., Washington, D.C., (C) TRAILWAYS OF NEW ENGLAND, INC., 400 Trailways Building, 1200 Eye Street NW., (D) TENNESSEE TRAILWAYS, INC., 710 Sevier Avenue, Knoxville, Tenn., and (E) SERVICE COACH LINE, INC., Box 2938, Tampa, Fla. Applicants' attorneys: Carl B. Callaway and Warren A. Goff, 315 Continental Avenue, Dallas, Tex., 75207. Operating rights sought to be controlled: (A) Passengers and their baggage, and express, mail and newspapers in the same vehicle with passengers, as a *common carrier*, over regular and irregular routes, between points in Virginia, North Carolina, West Virginia, Kentucky, Pennsylvania, Ohio, and the

District of Columbia, with certain restrictions, serving various intermediate and off-route points, alternate routes for operating convenience only, as more specifically described in Docket No. MC-59238 and Sub-numbers thereunder; (B) Passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier*, over regular and irregular routes, between points in New York, New Jersey, Maryland, Pennsylvania, Delaware, and the District of Columbia, with certain restrictions, serving various intermediate points, alternate routes for operating convenience only, as more specifically described in Docket No. MC-84728 and Sub-numbers thereunder; (C) Passengers and their baggage, and express, mail and newspapers, in the same vehicle with passengers, as a *common carrier* over regular routes, between points in New York, Massachusetts, Connecticut, New Hampshire, Rhode Island, and Maine, with certain restrictions, serving various intermediate points, alternate routes for operating convenience only, as more specifically described in Docket No. MC-1940 and Sub-numbers thereunder;

(D) Passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier* over regular and irregular routes, between points in the United States (except Alaska and Hawaii), with certain restrictions, serving various intermediate points, as more specifically described in Docket No. MC-8500; and (E) Passengers and their baggage, and express, newspapers and mail in the same vehicle with passengers, as a *common carrier*, over regular routes, between points in Georgia, and Florida, serving various intermediate points, an alternate route for operating convenience only, as more specifically described in Docket No. MC-67024 and Sub numbers thereunder. This notice does not purport to be complete descriptions of all the operating rights of the carriers involved. The foregoing summaries are believed to be sufficient for purposes of public notice regarding the nature and extent of these carrier's operating rights, without stating, in full, the entirety thereof. TRANSCONTINENTAL BUS SYSTEM, INC., is authorized to operate as a *common carrier* in Illinois, Missouri, Kansas, California, Colorado, New Mexico, Arizona, Texas, Oklahoma, Utah, Nebraska, Arkansas, Iowa, and Louisiana. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8745. Authority sought for purchase by (A) SAFEWAY TRAILS, INC., 1200 Eye Street NW., Washington, D.C., (B) CAPITOL BUS COMPANY, Fourth and Chestnut Streets, Harrisburg, Pa., and (C) PENN STAGES, INC., 12th and Cumberland Streets, Allentown, Pa., of the operating rights and property of passenger operations of READING TRANSPORTATION COMPANY, 12th and Market Streets, Philadelphia, Pa., and for acquisition by (A) CLAUDE A. JESSUP, 114 Fourth Street SE., Charlottesville, Va., CHARLES B. McINNIS, 1012 14th Street NW., Washington, D.C.,

and MARVIN E. WALSH, 1200 Eye Street NW., Washington, D.C., (B) JOSEPH L. MAGUIRE, and JOHN T. MAGUIRE, both of 313 Chestnut Street, Harrisburg, Pa., and (C) AMERICAN TRANSPORTATION ENTERPRISES, INC., 14 East 75th Street, New York, New York, of control of such rights and property through the purchase. Applicants' attorneys: Morris J. Levin, 1012 14th Street NW., Washington, D.C., Roberts & McInnis, 1012 14th Street NW., Washington, D.C., Julian P. Freret, 1012 14th Street NW., Washington, D.C., James E. Wilson, 1111 E Street NW., Washington, D.C., Charles E. Thomas, 208-210 Walnut Street, Harrisburg, Pa., and Lockwood W. Fogg, Jr., 415 Reading Terminal, Philadelphia, Pa. The portion of the operating rights sought to be transferred to: (A) Passengers and their baggage, and express, newspapers and mail, in the same vehicle with passengers, as a *common carrier*, over regular routes, between Reading, Pa., and Lancaster, Pa., between Reading, Pa., and Allentown, Pa.; passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, over irregular routes, from points in Camden and Burlington Counties, N.J., to points in Connecticut, New York, Pennsylvania, Maryland, Delaware, Virginia, and the District of Columbia, from points in Philadelphia, those points within five miles of the above-specified regular route, and those points within five miles of the rail routes of Reading Company in the County of Lancaster, Pa., to points in Connecticut, New York, New Jersey, Maryland, Delaware, Virginia, and the District of Columbia, serving all intermediate points;

(B) Passengers and their baggage, and express, newspapers and mail, in the same vehicle with passengers, between Philadelphia, Pa., and Pottsville, Pa., between Shamokin, Pa., and Allentown, Pa., between Harrisburg, Pa., and Reading, Pa., between Ashland, Pa., and Pottsville, Pa., with restriction, between Philadelphia, Pa., and junction Pennsylvania Legislative Route 46015 and U.S. Highway 422, near Limerick, Pa.; passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, over irregular routes, from points in Berks, Schuylkill, Montgomery and Lebanon Counties, Pa., those within five miles of the above-specified regular routes, and those within five miles of the rail routes of the Reading Company, in the counties of Chester, Columbia, Dauphin, Lycoming, Montour, Northumberland, Snyder, and Union, Pa., to points in Connecticut, New York, New Jersey, Maryland, Delaware, Virginia, and the District of Columbia, serving all intermediate points. (C) Passengers and their baggage, and express, newspapers and mail, in the same vehicle with passengers, over regular routes, between Philadelphia, Pa., and Allentown, Pa., between Philadelphia, Pa., and Allentown, Pa., via the Turnpike with routes connecting this route and the regular route next above, from the junction of Delaware River Extension and Northeast Extension to Pennsylvania Highway 731, from Lansdale Interchange to U.S. Route

309, and from Quakertown Interchange to U.S. Route 309; passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, over irregular routes, from points in Bucks County, Pa., those within five miles of the above-specified regular route, and those within five miles of the rail routes of the Reading Company in the counties of Lehigh and Northampton, Pa., to points in Connecticut, New York, New Jersey, Maryland, Delaware, Virginia, and the District of Columbia, serving all intermediate points. SAFEWAY TRAILS, INC., is authorized to operate as a *common carrier* in New York, New Jersey, Maryland, Pennsylvania, Delaware, and the District of Columbia; CAPITOL BUS COMPANY, is authorized to operate as a *common carrier* in Pennsylvania, Maryland, New York, and the District of Columbia; and PENN STAGES, INC., is authorized to operate as a *common carrier* in Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.
[F.R. Doc. 64-4761; Filed, May 12, 1964;
8:47 a.m.]

[Notice 639]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

MAY 8, 1964.

The following applications are governed by § 1.247¹ of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

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

MOTOR CARRIERS OF PROPERTY

No. MC 703 (Sub-No. 14), filed April 24, 1964. Applicant: HINCHCLIFF MOTOR SERVICE, INC., 3400 South Pulaski Road, Chicago, Ill. Applicant's attorney: Howell Ellis, Suite 616-618 Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, sand, stone, coal, commodities in bulk, commodities requiring special equipment, household goods as defined by the Commission, and commodities injurious or contaminating to other lading), serving Lima, Ohio, as an off-route point, restricted to interchange of traffic only, in connection with applicant's authorized points of service on its authorized routes in No. MC 703 (Sub-No. 7).

Note: If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 4761 (Sub-No. 18), filed April 27, 1964. Applicant: LOCK CITY TRANSPORTATION COMPANY, a corporation, 327 Sixth Avenue, Menominee, Mich. Applicant's attorney: Edward Solle, Suite 100 Executive Building, 4513 Vernon Boulevard, Madison 5, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and residual fuel oils*, in bulk in tank vehicles, from Gladstone, Mich., and points within 10 miles thereof, to the port of entry on the International Boundary line between the United States and Canada located at or near Sault St. Marie, Mich.

Note: Applicant states the proposed operations will be restricted to shipments transported from such origin territory to points in Canada. If a hearing is deemed necessary, applicant requests it be held in Madison, Wis.

No. MC 71516 (Sub-No. 68), filed April 29, 1964. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement asbestos products, and fittings, materials, and accessories for the installation or transportation thereof*, from Ragland, Ala., to points in Alabama, Georgia, Florida, Tennessee, Kentucky, Arkansas, Mississippi, Louisiana, Texas, Oklahoma, Kansas, Missouri, North Carolina, South Carolina, and Virginia, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 9148 (Sub-No. 8), filed May 4, 1964. Applicant: DEAN THORNTON, doing business as KEYSTONE TRUCKING COMPANY, Rushford, N.Y. Applicant's representative: Raymond A. Richards, 35 Curtice Park, Webster, N.Y., 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Petroleum products*, in containers, between Farmer's Valley, Pa., and Bradford, Pa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 16903 (Sub-No. 20), filed April 27, 1964. Applicant: MOON FREIGHT LINES, INC., Post Office Box 1275, Bloomington, Ind. Applicant's attorney: Ferdinand Born, 1017 19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand*, in bulk, from points in La Salle County, Ill., to points in Monroe, Lawrence, Orange, and Greene Counties, Ind.

NOTE: Applicant states that the transportation proposed will be handled by utilization of flat-bed equipment. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 19227 (Sub-No. 85), filed April 26, 1964. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air conditioners, air coolers, air heaters, air humidifiers and dehumidifiers, cooling and freezing machines, hot air furnaces, and parts and equipment therefor*, from points in Pinellas County, Fla. to points in the United States (except Alaska and Hawaii), and (2) *supplies, parts and components used in the manufacture of air conditioners, air coolers, air heaters, air humidifiers and dehumidifiers, cooling and freezing machines, hot air furnaces, and parts and equipment therefor*, from points in the United States to points in Pinellas County, Fla.

NOTE: If a hearing is deemed necessary applicant requests that it be held at St. Petersburg, Fla.

No. MC 22229 (Sub-No. 36), filed April 27, 1964. Applicant: TERMINAL TRANSPORT COMPANY, INC., 248 Chester Avenue SE., Atlanta, Ga. Applicant's attorney: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Birmingham, Ala., and Lake City, Fla., from Birmingham over U.S. Highway 31 to Montgomery, Ala., thence over U.S. Highway 231, to Dothan, Ala., thence over U.S. Highway 84, to Thomasville, Ga., thence over U.S. Highway 19, to Monticello, Fla., thence over U.S. Highway 90, to Lake City, and return over the same route, serving no intermediate points, and (2) between Birmingham, Ala., and Brooksville, Fla., from Birmingham to Monticello, Fla., as specified in (1) above, thence over U.S. Highway 19, to Junction U.S. Highway 98 located approximately fifteen (15) miles northwest of Brooksville, Fla., thence over U.S. Highway 98 to Brooksville, and

return over the same route serving no intermediate points.

NOTE: Applicant states "The purpose of this application is to secure authority which can be tacked with applicant's present authority at both Brooksville and Lake City, Fla., so as to authorize service between applicant's presently authorized Florida territory, on the one hand, and, on the other, Birmingham, Ala. Also, applicant proposes to interchange or otherwise handle traffic over and through the proposed Birmingham, Ala., point as a gateway." Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 29566 (Sub-No. 87), filed April 27, 1964. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City 5, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packing houses* (other than commodities in bulk, in tank vehicles), as described in Sections A, B, and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Swift & Company, located at or near Grand Island, Nebr., to points in Arkansas, Illinois, the Indiana portion of the Chicago Commercial Zone, Iowa, Kansas, Missouri, and Oklahoma, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, and *rejected shipments thereof*, on return.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 30451 (Sub-No. 23), filed April 27, 1964. Applicant: THE LUPER TRANSPORTATION COMPANY, a corporation, 350 East 21st Street, Wichita, Kans. Applicant's attorney: James F. Miller, 7501 Mission Road, Shawnee Mission, Kans. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, dairy products and articles distributed by meat packing houses* as described in Sections A, B, and C, in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, between Phoenix, Ariz., and Wichita, Kans.

NOTE: Applicant states that the proposed operation is to be restricted to shipments weighing not more than 10,000 pounds and that it is to be an "inter-plant service" under contract with The Cudahy Packing Company. Applicant is also authorized to conduct operations as a *common carrier* in Certificate No. MC 123004; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Wichita, Kans.

No. MC 38227 (Sub-No. 4), filed April 30, 1964. Applicant: CRUTCHER TRANSFER LINE, INC., 600 Marrett Street, Louisville 8, Ky. Applicant's attorney: Stanley B. Mayer, Kentucky Home Life Building, Louisville 2, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodi-*

ties (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Fort Knox, Ky., and Elizabethtown, Ky., over U.S. Highway 31W, serving no intermediate points, and (2) between Louisville, Ky., and Elizabethtown, Ky., over Interstate Highway 65, serving no intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Elizabethtown, Ky.

No. MC 45716 (Sub-No. 4), filed April 27, 1964. Applicant: WELSH BROS. MOTOR SERVICE, INC., 920 150th Street, Hammond, Ind. Applicant's attorney: Walter F. Jones, Jr., 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Chicago Heights, Ill., and points in Lake, Porter, and La Porte Counties, Ind., on and north of U.S. Highway 30, and on and west of Indiana Highway 39.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52709 (Sub-No. 243), filed May 1, 1964. Applicant: RINGSBY TRUCK LINES, 3201 Ringsby Court, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, vegetable oils, and blends and products of the foregoing*, in bulk, in tank vehicles, from Omaha, Nebr., to points in Michigan, Kansas, Missouri, Indiana, Illinois, Minnesota, Wisconsin, New York, and Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52889 (Sub-No. 4), filed May 1, 1964. Applicant: THE EL DORADO TRANSPORTATION COMPANY, INCORPORATED, 1718 Boston Post Road, Milford, Conn. Applicant's representative: William D. Traub, 10 East 40th Street, New York 16, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, household goods, and those requiring special equipment), between Milford, Conn., on the one hand, and, on the other, points in Connecticut.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 52932 (Sub-No. 7), filed April 29, 1964. Applicant: NORTH PENN TRANSFER, INC., Box 230, Lansdale, Pa. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Cast iron soil pipe (not exceeding five feet in length), including clay, shale, and earthenware products, cast iron soil pipe fittings, catch basins and parts thereof, cesspools, man-hole covers and frames, and sewer inlets,* from Lansdale and Quakertown, Pa., to points in Massachusetts, Rhode Island, Connecticut, Pennsylvania, Delaware, New York, Virginia, New Jersey, Maryland, and the District of Columbia, and articles used or useful in the manufacture of commodities specified above, on return.

NOTE: Applicant states that duplicating authority will be cancelled. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61592 (Sub-No. 20), filed April 27, 1964. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled vehicles and self-propelled machinery,* (2) *attachments for self-propelled vehicles, and machinery, in truckload lots and mixed truckload shipments with commodities specified in (1), and (3) parts, for the commodities specified in (1) and (2), when shipped in mixed truckloads with same commodities,* from points in Texas on and east of U.S. Highway 281 from the Oklahoma-Texas State line to Lampasas, Tex., and on and north of U.S. Highway 190 from Lampasas, Tex., to the Louisiana-Texas State line, to points in the United States (except Hawaii), and damaged, defective, and returned shipments, and empty containers or other such incidental facilities (not specified), used in transporting the commodities specified above, on return.

NOTE: If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 21), filed April 27, 1964. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Self-propelled vehicles and self-propelled machinery,* (2) *equipment designed to be towed by self-propelled vehicles and self-propelled machinery,* and (3) *attachments and parts for the commodities named in (1) and (2) above* when shipped in mixed truckloads with commodities named in (1) and (2) above, from points in Texas on and north of U.S. Highway 180 (from the Texas-New Mexico State line to Anson, Tex.), and on and west of U.S. Highway 277 (from Anson, Tex., to the Oklahoma-Texas State line), to points in the United States (except Hawaii), and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, and damaged, defective, and returned shipments thereof, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held in Chicago, Ill.

No. MC 66746 (Sub-No. 5), filed April 27, 1964. Applicant: JOHN L. KERR AND G. O. KERR, JR., doing business as SHIPPERS EXPRESS, a partnership, Post Office Box 8665, Jackson, Miss. Applicant's attorney: Harold D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities (except livestock, liquid commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission),* from points in Mississippi within 100 miles of Jackson, Miss., to Jackson, Miss.

NOTE: If a hearing is deemed necessary applicant requests that it be held at Jackson, Miss.

No. MC 73165 (Sub-No. 184), filed April 29, 1964. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d, Post Office Box 1348, Birmingham, Ala. Applicant's attorney: Donald L. Morris (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement asbestos products, and fittings, materials, and accessories for the installation and transportation thereof, from Ragland, Ala., and points within 3 miles thereof to points in Alabama, Georgia, Florida, Tennessee, North Carolina, South Carolina, Kentucky, Virginia, Missouri, Arkansas, Mississippi, Louisiana, Texas, Oklahoma, and Kansas, and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, on return.*

NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 74321 (Sub-No. 27), filed April 27, 1964. Applicant: B. F. WALKER, INC., 650 17th Street, Denver 2, Colo. Applicant's attorney: Jerry Prestridge, Post Office Box 1148, Austin, Tex., 78763. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Drilling machinery and equipment; machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance and dismantling of drilling machinery and equipment, or (b) digging of slush pits, and clearing, preparing, constructing or maintaining drilling sites; machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with (a) the completion of holes or wells drilled, (b) the production, storage, transmission and distribution of commodities resulting from drilling operations, or (c) injection or removal of commodities into or from holes or wells, (1) between points in Texas, Louisiana, Oklahoma, New Mexico, and Kansas, (2) between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana, (3) between points in New Mexico, Arizona, North Dakota, South Dakota, Nebraska, Wyoming, Colorado, Montana, and Utah, and (4) between points in Nevada, on the one hand, and, on the other, points in Ari-*

zona, Colorado, Montana, New Mexico, Nebraska, South Dakota, North Dakota, Utah, and Wyoming.

NOTE: Applicant states that no duplication of authority is sought. Applicant further states that it proposes to tack the separately described territorial paragraphs so as to perform through service thereunder. If a hearing is deemed necessary applicant requests that it be held at Denver, Colo.

No. MC 82841 (Sub-No. 7), filed April 27, 1964. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pipe and tubing (iron, steel, plate or sheet), and fittings and accessories therefor, when moving with such pipe or tubing, from Valley, Nebr., to Kewanee, Ill.*

NOTE: If a hearing is deemed necessary applicant requests it be held at Omaha, Nebr.

No. MC 95540 (Sub-No. 581), filed April 30, 1964. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, dairy products, and articles distributed by meat packing-houses, as described in Sections A, B, and C, of Appendix I, Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, and 766, from Columbus Junction, Iowa, to points in Alabama, Colorado, Connecticut, Delaware, Florida, Georgia, Kansas, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.*

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 95540 (Sub-No. 582), filed April 29, 1964. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and packing house products, fresh and frozen, in vehicles equipped with mechanical refrigeration, from Bristol, Va., to points in California, Oregon and Washington and exempt commodities on return.*

NOTE: If a hearing is deemed necessary, applicant requests it be held at Bristol, Va., or Tampa, Fla.

No. MC 101219 (Sub-No. 42), filed April 30, 1964. Applicant: MERIT DRESS DELIVERY, INC., 524 West 36th Street, New York 18, N.Y. Applicant's attorney: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Wearing apparel,* (a) from West Warwick, R.I., to Winchendon, Mass., and (b) from Winchendon, Mass., to New York, N.Y., and (2) *ma-*

terials and supplies used in the manufacture of wearing apparel, between Winchendon, Mass., and West Warwick, R.I.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 103880 (Sub-No. 308), filed May 4, 1964. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals and plastics*, in bulk, in tank or hopper-type vehicles (except liquid fertilizer solutions), from Peru, Ill., to points in Indiana, Ohio, Michigan, Wisconsin, Minnesota, Iowa, and Missouri, and (2) *dry plastics*, in bulk or hopper-type vehicles, from Peru, Ill., to points in Kansas, Arkansas, Tennessee, Kentucky, Pennsylvania, and Nebraska.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 104523 (Sub-No. 28), filed April 27, 1964. Applicant: WILLIAM HAROLD HUSTON, doing business as HUSTON TRUCK LINE, Friend, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Dry animal and poultry feed, dry animal and poultry mineral mixtures, and insecticides* (other than agricultural), from Quincy, Ill., to points in Meagher, Wheatland, Golden Valley, Musselshell, Rosebud, Sweet Grass, Stillwater, Yellowstone, Treasure, Carbon, and Big Horn Counties, Mont., points in Park, Big Horn, Sheridan, Campbell, Crook, Weston, Hot Springs, Washakie, Johnson, Natrona, Converse, Niobrara, Carbon, Albany, Platte, Goshen and Laramie Counties, Wyo., points in Colorado, on and east of Interstate Highway 25, from the Wyoming-Colorado State line to the New Mexico-Colorado State line, points in Sioux, Dawes, Sheridan, Box Butte, Scottsbluff, Morrill, Banner, Kimball, Cheyenne, Gordan, Deuel, Cherry, Grant, Hooker, Thomas, Arthur, McPherson, Logan, Keith, Perkins, Chase, Dundy, Lincoln, Hayes, Hitchcock, Frontier, Red Willow, Dawson, Custer, Blaine, Loup, Brown, Rock, and Keyapaha Counties, Nebr., and points in South Dakota.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 105813 (Sub-No. 114), filed April 28, 1964. Applicant: BELFORD TRUCKING CO., INC., 1299 Northwest 23d Street, Miami, Fla. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and 766, and *supplies, equipment and materials used in the conduct of such business (meat packinghouses)*, from the plant site of Agar Packing Co., located at or near

Monmouth, Ill., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107496 (Sub-No. 312), filed April 24, 1964. Applicant: RUAN TRANSPORT CORPORATION, Post Office Box 855, Des Moines 4, Iowa. Applicant's attorney: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers*, in bulk, in tank vehicles, from Monmouth, Ill. and points within 10 miles thereof, to points in Iowa.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107515 (Sub-No. 482), filed April 24, 1964. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue, S.W., Atlanta, Ga. Applicant's attorney: Paul M. Daniell, Suite 214-217 Standard Federal Building, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Mo., to points in Illinois, Iowa, Wisconsin, Minnesota, Nebraska, North Dakota, South Dakota, Kansas, Oklahoma, and Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107678 (Sub-No. 35) (AMENDMENT), filed April 13, 1964, published in FEDERAL REGISTER issue April 29, 1964, amended April 30, 1964, and republished as amended this issue. Applicant: HILL & HILL TRUCK LINE, INC., 13025 Sarah Lane, Houston, Tex. Applicant's attorney: Joe G. Fender, 2033 Norfolk Street, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I) *Earth drilling machinery and equipment*, (II) *machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance and dismantling of drilling machinery and equipment, and (b) digging of slush pits and clearing, preparing, constructing, and maintaining drilling sites, and (III) machinery, equipment, materials, supplies and pipe, incidental to, used in, or in connection with (a) the completion of holes and wells drilled, (b) the production, storage, transmission, and distribution of commodities resulting from drilling operations, or (c) injection or removal of commodities into or from holes or wells*, (1) between points in New Mexico, Oklahoma, Louisiana, Kansas, and Texas, (2) between Houston, Tex., on the one hand, and, on the other, points in Wyoming, and Montana, (3) between points in Texas, on the one hand, and, on the other, points in North Dakota, on the west of North Dakota Highway 30, and those in South Dakota west of the Missouri River, and on and north of U.S. Highway 14, (4) between points

in Texas (except Houston), on the one hand, and, on the other, points in Montana, and Wyoming, (5) between points in Texas and Oklahoma, on the one hand, and, on the other, points in Nevada, (6) between points in Alaska, on the one hand, and, on the other, points in Montana, North Dakota, South Dakota, Wyoming, Nebraska, Nevada, Utah, Colorado, Kansas, New Mexico, Oklahoma, Texas, and Louisiana, (7) between Casper, Wyo., on the one hand, and, on the other, points in Colorado, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming, (8) between points in Alabama, Arkansas, Florida, Georgia, and Mississippi, and (9) between points in Alabama, Arkansas, Florida, Georgia, and Mississippi, on the one hand, and, on the other, points in Kansas, Louisiana, New Mexico, Oklahoma, and Texas.

NOTE: Applicant states that it is authorized to operate under the Mercer description to all points involved in this application and that no duplication of present authority is here requested. The purpose of this republication is to broaden the scope of the service as proposed and published previously. If a hearing is deemed necessary applicant requests it be held at Houston, Tex.

No. MC 107698 (Sub-No. 32), filed April 27, 1964. Applicant: BONANZA, INC., Post Office Box 5526, Midwest City, Okla. Applicant's attorney: Wilburn L. Williamson, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, and frozen vegetables*, from points in California, Oregon, and Washington, to Burley, Nampa, Boise, and Heyburn, Idaho, for storage-in-transit and subsequent outbound movement to points in New Mexico, Texas, Louisiana, Arkansas, Oklahoma, and Kansas, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: Applicant states that it seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Boise, Idaho.

No. MC 108207 (Sub-No. 133), filed April 27, 1964. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Hammond, La., to points in Indiana, Ohio, Kentucky, Minnesota, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 108736 (Sub-No. 9), filed April 29, 1964. Applicant: A. H. VIETOR, doing business as ALBERT LEA TRANSPORT CO., 423 Adams Avenue, Albert Lea, Minn. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from Chicago, Danville, and Tiskilwa, Ill., and Cedar Rapids, Des Moines, and Marion, Iowa, to points in Faribault and Freeborn Counties, Minn.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 108912 (Sub-No. 7), filed May 4, 1964. Applicant: CHICAGO PITTSBURGH EXPRESS, INC., 654 West 21st Street, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meatpacking houses* (other than commodities in bulk, in tank vehicles), as described in Sections A, C and D, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Agar Packing Company, located at or near Monmouth, Ill., to points in Ohio and Pennsylvania.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 109132 (Sub-No. 15), filed April 30, 1964. Applicant: FREIGHT WAYS, INC., 1309 North Mosley, Wichita 1, Kans. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except Classes A and B explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those injurious or contaminating to other lading), serving Champ, Mo., also known as Champ Industrial Village as an off-route point in connection with applicant's authorized regular-route operations.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 109677 (Sub-No. 28) (AMENDMENT), filed March 18, 1964, published in *FEDERAL REGISTER* issue April 1, 1964, amended May 4, 1964, and republished as amended this issue. Applicant: FORT EDWARD EXPRESS CO., INC., Route 9, Saratoga Road, Fort Edward, N.Y. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Selkirk and Hudson Falls, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

NOTE: The purpose of this republication is to show the addition of Hudson Falls, N.Y. to the origin territory. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held in New York, N.Y.

No. MC 110193 (Sub-No. 64), filed May 1, 1964. Applicant: SAFEWAY TRUCK LINES, INC., 4625 West 55th Street, Chicago, Ill. Applicant's representative: Walter J. Kobos (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *meats, meat products, meat byproducts,*

dairy products and articles distributed by meatpacking houses, as described in Sections A, B, and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Columbus Junction, Iowa to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary applicant requests that it be held at Washington, D.C., or Chicago, Ill.

No. MC 110420 (Sub-No. 366) (AMENDMENT), filed February 27, 1964, published *FEDERAL REGISTER*, issue March 6, 1964, republished as amended March 18, 1964, republished as again amended this issue. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glycerine, soap stock, liquid soap and fatty acids* from the plant site of Armour & Co., near Aurora, Ill., to points in Indiana, Michigan, Ohio, Missouri, Pennsylvania, and Wisconsin, (2) *coconut oil* from the plant site of Armour & Co., near Aurora, Ill., to points in Michigan, Ohio, Pennsylvania, and Wisconsin, and (3) *inedible tallow* from the plant site of Armour & Co., near Aurora, Ill., to points in Michigan and Wisconsin.

NOTE: Common control may be involved. The purpose of this republication is to both restrict and enlarge the application. If a hearing is deemed necessary applicant requests that it be held at Chicago, Ill.

No. MC 110698 (Sub-No. 280), filed April 30, 1964. Applicant: RYDER TANK LINE, INC., Post Office Box 8418, Winston-Salem Road, Greensboro, N.C. Applicant's attorney: Francis W. McInerny, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats*, in bulk, from Dunn, N.C., to points in New York, New Jersey, Pennsylvania, Virginia, Maryland, South Carolina, Georgia, and Florida.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110804 (Sub-No. 5), filed April 27, 1964. Applicant: INGRAM TRUCKING CO., INC., Ball Ground, Ga. Applicant's attorney: Paul M. Daniell, Suite 214-217, Standard Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Structural stone setting contractors' machinery and equipment*, to job sites and return, between Tate, Ga., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, New Hampshire, Vermont, and the District of Columbia.

NOTE: Applicant states the proposed operations will be limited to a transportation service to be performed under a continuing contract, or contracts, with Georgia Marble Setting Co. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 111812 (Sub-No. 249), filed April 30, 1964. Applicant: MIDWEST COAST TRANSPORT, INC., Post-office Box 747, Sioux Falls, S. Dak., 57101. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from La Porte, Ind., to points in North Dakota, South Dakota, Minnesota, and points in Douglas, Bayfield, Ashland, Burnett, Washburn, Sawyer, Polk, Barron, Rusk, St. Croix, Dunn, Chippewa, Pierce, Pepin, Eau Claire, Buffalo, Trempealeau, and La Crosse Counties, Wis.

NOTE: Common control may be involved. Applicant does not specify choice of place of hearing, if a hearing is deemed necessary.

No. MC 112372 (Sub-No. 7), filed May 1, 1964. Applicant: CLARENCE G. JEWELL, Leesburg, Va. Applicant's attorney: Frank B. Hand, Jr., 921 17th Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts*, as defined by the Commission, from Purcellville, Va., to New York, N.Y.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112617 (Sub-No. 177), filed May 4, 1964. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Dale Woodall, 150 East Court Avenue, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry chemicals*, in bulk, between Mount Vernon, Ind., and points within 10 miles thereof, on the one hand, and, on the other, points in Massachusetts.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113158 (Sub-No. 4), filed April 28, 1964. Applicant: TODD TRANSPORT COMPANY, INC., Secretary, Md. Applicant's attorney: V. Baker Smith, 500 North Third Street, Harrisburg, Pa., 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Hurlock, Md., to points in West Virginia and points in Pennsylvania on and west of a line beginning at the Pennsylvania-New York State Line and extending along U.S. Highway 15 to Lemoyne, Pa., thence along U.S. Highway 111 to the Pennsylvania-Maryland State Line.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 113158 (Sub-No. 5), filed April 28, 1964. Applicant: TODD TRANSPORT COMPANY, INC., Secretary, Md. Applicant's attorney: V. Baker Smith, 2107 Fidelity-Philadelphia Trust Build-

ing, Philadelphia, Pa., 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from *Batavia and LeRoy, N.Y.*, to points in Delaware south of the Chesapeake and Delaware Canal.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 113362 (Sub-No. 40), filed April 30, 1964. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by packinghouses*, as described in Sections A, C, and D of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk, in tank vehicles), from the plant site of Agar Packing Company located at or near Monmouth, Ill., to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held with other applications seeking same authority.

No. MC 113855 (Sub-No. 92), filed April 29, 1964. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Gene P. Johnson, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Wasatch and Summit Counties, Utah, to points in Iowa, Illinois, Wisconsin, Indiana, Ohio, the lower peninsula of Michigan, and points in Nebraska and South Dakota on and east of U.S. Highway 81.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Salt Lake City, Utah.

No. MC 113861 (Sub-No. 30), filed April 30, 1964. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, Memphis, Tenn. Applicant's attorney: Louis I. Dalley, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Memphis, Tenn., and that part of its Commercial Zone lying east of the Mississippi River, to points in Mississippi on and north of U.S. Highway 80, and *refused or rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 114211 (Sub-No. 52), filed May 4, 1964. Applicant: WARREN TRANSPORT, INC., Post Office Box 420,

Waterloo, Iowa. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Experimental and show-display tractors and farm and industrial machinery and equipment*, which, at the time of movement are being transported for purposes of display or experiment, and not for sale, and *incidental paraphernalia* moving in the same vehicles and at the same time, between points in the United States (except Hawaii and Alaska).

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114211 (Sub-No. 53), filed May 4, 1964. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe and fittings, and accessories* therefor, when moving with such pipe, from Council Bluffs, Iowa, to points in Minnesota, and *damaged and rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114364 (Sub-No. 83), filed April 27, 1964. Applicant: WRIGHT MOTOR LINES, INC., 16th and Elm Streets, Post Office Box 672, Rocky Ford, Colo. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from Golden, Colo., to points in Idaho and (2) from Pueblo, Colo., to points in Utah, Oregon and Washington.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114552 (Sub-No. 21), filed April 27, 1964. Applicant: SENN TRUCKING COMPANY, a corporation, R.F.D. No. 4, Box 283, Newbury, S.C. Applicant's attorney: Frank A. Graham, Jr., 707 Security Federal Building, Columbia 1, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in Louisiana and North Carolina.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 115840 (Sub-No. 11), filed April 27, 1964. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities which because of size or weight require the use of special equipment or special handling, and parts, cast iron pipe, fittings, accessories and parts, iron and steel articles*, as defined in Appendix V to *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 276-279, and *hydrants and valves*, between points in West Virginia, on the

one hand, and, on the other, points in Alabama and Georgia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 115841 (Sub-No. 173), filed April 29, 1964. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, articles distributed by meatpacking houses, and such articles as are used by meatpackers in the conduct of their business when destined to and used by meatpackers*, as described in Sections A, C, and D, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the plant site and warehouse facilities of Agar Packing Company, located at or near Monmouth, Ill., to points in Kentucky, Tennessee, Alabama, Arkansas, Georgia, Mississippi, Louisiana, North and South Carolina, Virginia, Maryland, Florida, and Washington, D.C.

NOTE: Applicant states the proposed service will be restricted (1) against tacking or interlining at origin, and (2) against transportation in bulk in tank vehicles. If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 116014 (Sub-No. 10), filed April 26, 1964. Applicant: RALPH OLIVER AND MRS. SCOTT OLIVER, doing business as OLIVER TRUCKING CO., North Bloomfield Road, Post Office Box 53, Winchester, Ky. Applicant's attorney: Robert M. Pearce, 221 St. Clair, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooperage stock, consisting of, but not limited to barrel staves, and barrel heads*, (1) from the plant site of the Blue Grass Cooperage Company, located approximately four (4) miles south of Cedarville, Ohio, on U.S. Highway 42, to Louisville, Ky., (2) from the plant site of the Blue Grass Cooperage Company, located at or near Jackson, Ohio, to Louisville, Ky., and (3) from the plant site of the Blue Grass Cooperage Company, located at or near Disputanta, Va., on U.S. Highway 460 to Louisville, Ky.

NOTE: Applicant states it holds authority in MC 116014 and Subs to perform the above service by tacking separate authorities through Bath, Carter, Powell, and Rowan Counties, Ky., and seeks to eliminate such gateway through this application. If a hearing is deemed necessary applicant requests it be held at Washington, D.C.

No. MC 116077 (Sub-No. 157), filed April 28, 1964. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, 721 Brown Building, Austin, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potash*, in bulk, from points in New Mexico to points in Texas, Louisiana, Mississippi, Arkansas, and Oklahoma.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 116273 (Sub-No. 25), filed May 4, 1964. Applicant: D & L TRANSPORT, INC., 3800 South Laramine Avenue, Cicero, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals and plastics*, in bulk, in tank and hopper-type vehicles (except liquid fertilizer solutions), from Peru, Ill., to points in Indiana, Ohio, Michigan, Wisconsin, Minnesota, Iowa, and Missouri, and (2) *dry plastics*, in bulk, in tank and hopper-type vehicles, from Peru, Ill., to points in Kansas, Arkansas, Tennessee, Kentucky, Pennsylvania, and Nebraska.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116381 (Sub-No. 1), filed April 27, 1964. Applicant: FRANK TWITCHELL, doing business as TWITCHELL TRANSPORTATION, Route 20, Bridgewater, N.Y. Applicant's attorney: Morris B. Swartz, 515 University Building, Syracuse 2, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Odorous calf skins* in bundles from Trenton and Jersey City, N.J., New York, N.Y., Waterbury, Conn., and Scranton, Pa., to West Winfield, N.Y.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

No. MC 117119 (Sub-No. 146), filed April 27, 1964. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from the plant site of Swift & Co., located at Grand Island, Nebr., to points in Indiana, Ohio, Pennsylvania, New York, New Jersey, Maryland, Delaware, District of Columbia, West Virginia, Virginia, Massachusetts, Connecticut, and Rhode Island.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 147), filed April 27, 1964. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, articles distributed by meat packinghouses, and supplies, equipment and material* used in the conduct of such business, as described in sections A, C and D of Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from the plant site of Agar Packing Co. located at or near Mon-

mouth, Ill., to points in Indiana, Ohio, Pennsylvania, New York, New Jersey, Maryland, Delaware, West Virginia, Virginia, Massachusetts, Connecticut, Rhode Island, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 148), filed April 29, 1964. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorneys: John H. Joyce, 26 North College, Fayetteville, Ark., and A. Alvis Layne, Pennsylvania Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in the United States (except Minnesota, Wisconsin, Alaska, and Hawaii).

NOTE: Applicant states that the proposed operations will be restricted to outbound movements of frozen foods having prior inbound movement to storage-in-transit at Kansas City, Kans., from points at which applicant is authorized to originate shipments of frozen foods. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117119 (Sub-No. 149), filed April 29, 1964. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: A. Alvis Layne, Pennsylvania Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, and frozen fruit juice concentrates*, from points in California, Oregon, and Washington to American Falls, Boise, Nampa, and Pocatello, Idaho, and Ontario, Oreg., for storage in transit and subsequent movement from those points to points in Arkansas, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 117366 (Sub-No. 1), filed April 29, 1964. Applicant: RICHARD J. WITSBERGER, SR., doing business as TRI-STATE TRANSPORT CO., Box 108, R. R. No. 2, Triadelphia, W. Va. Applicant's representative: D. L. Bennett, 213 First National Bank Building, 2207 National Road, Wheeling, W. Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel culvert pipe and accessories therefor*, from Martins Ferry, Ohio, to Baltimore, Md., East Riverton and Trenton, N.J., and points in New Jersey within 25 miles of New York, N.Y.; New York, N.Y., and points within 25 miles thereof; Jamestown, Silver Creek, Buffalo, and Niagara Falls, N.Y., points on U.S. Highway 20 between the Pennsylvania-New York State line and Silver Creek, N.Y.; points on New York Highway 5 between Silver Creek and Buffalo, N.Y., and points on New York Highway 384 between Buffalo and Niagara Falls, N.Y.; Beaver Falls, New Brighton, New Alexandria, Philadelphia, and Pittsburgh, Pa.; points within 20 miles of Pittsburgh, Pa.; points on U.S.

Highway 119 between New Alexandria, Pa., and the Pennsylvania-West Virginia State line, and points on U.S. Highway 20 between the Ohio-Pennsylvania State line and the New York-Pennsylvania State line; Spencer, W. Va., and points on and north of a line beginning at St. Marys, W. Va., and extending along Alternate U.S. Highway 50 to Ellenboro, W. Va., thence along West Virginia Highway 16 to junction West Virginia Highway 4 near Ivydale, W. Va., thence along West Virginia Highway 4 to junction U.S. Highway 19 at or near Sutton, W. Va., thence along U.S. Highway 19 to junction U.S. Highway 33 at or near Weston, W. Va., thence along U.S. Highway 33 to Buckhannon, W. Va., thence along West Virginia Highway 20 to Webster Springs, W. Va., thence along West Virginia Highway 15 to Valley Head, Va., and thence along U.S. Highway 219 to the West Virginia-Maryland State line; and *damaged, defective, rejected or returned shipments* of the above-specified commodities on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 117815 (Sub-No. 22), filed May 4, 1964. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk, in tank vehicles), from the plant site of Swift & Co., located at or near Grand Island, Nebr., to points in Illinois, Indiana, Iowa, and Wisconsin, and to Kansas City and St. Joseph, Mo.

NOTE: Applicant states that the authority sought herein will be restricted against tacking or interlining at involved origin. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117815 (Sub-No. 23), filed May 4, 1964. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods, canned pet food, and nonalcoholic beverages*, from Grimes and Pella, Iowa, to points in Colorado, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 118196 (Sub-No. 21), filed May 4, 1964. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71, North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Dairy products, including cheese foods and cheese spread as defined by the Commission, from points in North Dakota and South Dakota, to points in Oklahoma, Kansas, Missouri, and Arkansas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119170 (Sub-No. 6), filed May 3, 1964. Applicant: REEFER TRANSIT LINES, INC., 1413 West Pershing Road, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Wash. Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses* (other than commodities in bulk, in tank vehicles), as described in Sections A, C, and D, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Agar Packing Company, located at or near Monmouth, Ill., to points in Missouri, Nebraska, Iowa, New York, New Jersey, Ohio, Pennsylvania, and Wheeling, W. Va., and points within twenty-five (25) miles thereof.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119268 (Sub-No. 33), filed May 4, 1964. Applicant: OSBORN, INC., 228 North Fourth Street, Gadsden, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved food products*, from points in Spaulding and Pike Counties, Ga., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, and Wisconsin, and *exempt commodities*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 119268 (Sub-No. 34), filed May 4, 1964. Applicant: OSBORN, INC., 228 North Fourth Street, Gadsden, Ala. Applicant's representative: M. H. Stephens (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Minnesota and Wisconsin to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, and *exempt commodities*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 119317 (Sub-No. 17), filed May 4, 1964. Applicant: GROSS & SONS TRANSPORT COMPANY, a corporation, 1706 South Arlington, Independence, Mo. Applicant's attorney: Frank W. Taylor, 1221 Baltimore Avenue, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen ice cream novelties and frozen quiescent novelties* (frozen confections), from Omaha, Nebr., to Phoenix and Tucson, Ariz., and *spoiled, outdated or rejected commodities and empty containers*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119539 (Sub-No. 3), filed May 4, 1964. Applicant: B E V E R A G E TRANSPORT, INC., Route 5420, Post Office Box 88, East Bloomfield, N.Y. Applicant's representative: Raymond A. Richards, 35 Curtice Park, Webster, N.Y., 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, (1) from Newark, N.J., New York, N.Y., and Cleveland, Ohio, to points in New York, and (2) from Rochester, N.Y., to points in Ohio and Pennsylvania, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities in (1) and (2) above, on return.

NOTE: Applicant states duplicating authority is to be eliminated. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 119767 (Sub-No. 23), filed April 24, 1964. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *supplies, equipment and materials used in the conduct of such business*, from Monmouth, Ill., to points in Indiana, Ohio, Wisconsin, Michigan, Minnesota, Missouri, and to Louisville, Ky., and *exempt commodities*, on return.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 120543 (Sub-No. 21), filed April 24, 1964. Applicant: FLORIDA REFRIGERATED SERVICE, INC., U.S. 301, North, Dade City, Fla. Applicant's attorney: Lawrence D. Fay, Post Office Box 1086, 1205 Universal Marion Building, Jacksonville, Fla., 32201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from points in Idaho, Oregon, and Washington, to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee, and *refused and rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 120543 (Sub-No. 22), filed April 27, 1964. Applicant: FLORIDA REFRIGERATED SERVICE, INC., U.S. 301, North, Dade City, Fla. Applicant's attorney: Lawrence D. Fay, Post Office Box 1086, 1205 Universal Marion Building, Jacksonville, Fla., 32201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food and foodstuffs*, requiring refrigeration, in vehicles equipped with mechanical refrigeration, between points in Florida, and (2) *canned citrus products*, from points in

Florida to points in Mississippi, Louisiana, Texas, Arizona, California, Colorado, Nevada, New Mexico, Arkansas, Utah, and Oklahoma.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Tampa, Fla.

No. MC 120792 (Sub-No. 1), filed April 6, 1964. Applicant: G. A. MEYER, JR., doing business as CANOVA TRANSFER, Canova, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Sioux Falls, Canova, Unityville, and Epiphany, S. Dak., and (2) between Canova, S. Dak., and points within 20 miles of Canova, on the one hand, and, on the other, points in South Dakota.

NOTE: Common control may be involved. Applicant did not specify any place for hearing in case one is deemed necessary.

No. MC 123063 (Sub-No. 2), filed April 30, 1964. Applicant: KIRBERY TRANSPORTATION, INC., 425 Main Street, Woodbridge, N.J. Applicant's attorney: A. David Millner, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sealant compounds*, from Kearny and Secaucus, N.J., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia, and *materials used in the manufacture and production of sealant compounds*, on return.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 124078 (Sub-No. 105) (CORRECTION), filed April 10, 1964, published in FEDERAL REGISTER issue April 22, 1964, and republished as corrected this issue. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis., 53246. Applicant's attorney: James R. Ziperski (same address as applicant).

NOTE: The purpose of this republication is to show the reference made to dual operations was incorrect. By virtue of Certificate served January 13, 1964, subject carrier conducts operations as a common carrier only.

No. MC 124078 (Sub-No. 106) (CORRECTION), filed April 6, 1964, published in FEDERAL REGISTER, issue April 22, 1964, and republished as corrected this issue. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's attorney: James R. Ziperski (same address as applicant).

NOTE: The purpose of this republication is to show that reference to dual operations was incorrect. By virtue of Certificate served January 13, 1964, subject carrier conducts operations as a common carrier only.

No. MC 124154 (Sub-No. 9), filed April 29, 1964. Applicant: W. D. WINGATE,

doing business as WINGATE TRUCKING COMPANY, Post Office Box 1372, Albany, Ga. Applicant's attorney: Ariel V. Conlin, Suite 626 Fulton National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gound clay and fullers earth* (except in bulk, in tank vehicles) from points in Grady County, Ga., to points in Florida.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany, Ga.

No. MC 124251 (Sub-No. 7), filed April 24, 1964. Applicant: JACK JORDAN, INC., Post Office Box 244, Dalton, Ga. Applicant's attorney: Ariel V. Conlin, Suite 626 Fulton National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feldspar and feldspathic filler* in bulk, in bags and in hopper type vehicles including pneumatic and air slide trailers from points in Mitchell County, N.C., to points in Hamilton County, Tenn. and Whitfield County, Ga.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn.

No. MC 124251 (Sub-No. 8), filed April 24, 1964. Applicant: JACK JORDAN, INC., Post Office Box 244, Dalton, Ga. Applicant's attorney: Ariel V. Conlin, Suite 626 Fulton National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry ground limestone, clay, clay slurry, and feldspar*, in bulk, or in bags, from points in Whitfield County, Ga., to points in Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn.

No. MC 124300 (Sub-No. 1), filed April 24, 1964. Applicant: M. E. TOMPKINS, doing business as M. E. TOMPKINS TRANSFER, 811 East Washington Street, Lake City, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission in 17 M.C.C. 467, between points in Florida, on the one hand, and, on the other, points in North Carolina, South Carolina, Georgia, and Alabama.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 124796 (Sub-No. 9), filed April 27, 1964. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 7236 East Slauson, Los Angeles, Calif. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Buffing or polishing compounds, cleaning, scouring or washing compounds, solvents, sponges, starch, and advertising materials, and racks moving with these commodities*, in packages or containers, from Kankakee, Ill., to points in Georgia and Florida, and *exempt commodities*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124813 (Sub-No. 10), filed May 4, 1964. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials* (other than liquid in bulk, in tank vehicles), from Humboldt, Iowa, to points in Minnesota, Nebraska, North Dakota, and South Dakota.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Des Moines, Iowa.

No. MC 124813 (Sub-No. 11), filed May 4, 1964. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients* (other than liquids in bulk, in tank vehicles), from points in Iowa to points in Nebraska.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Des Moines, Iowa.

No. MC 125446 (Sub-No. 2), filed April 29, 1964. Applicant: COALBROOK SALES CO., INC., Carbondale, Pa. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap iron and scrap metals*, from points in Lackawanna and Luzerne Counties, Pa., to points in New York (except New York, N.Y.) and points in New Jersey (except Essex and Hudson Counties), (2) *cinders and aggregates*, in dump vehicles, from points in Lackawanna, Luzerne, Wayne, Pike, and Schuylkill Counties, Pa., to points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties, N.J., and (3) *coal*, from Carbondale, Pa., to points in New York (except Albany, Broome, Chenango, Columbia, Delaware, Dutchess, Greene, Nassau, Oneida, Onondaga, Orange, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Sullivan, Ulster, Warren, and Westchester Counties, N.Y.), and New York, N.Y.) and points in New Jersey (except Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union Counties, N.J.), and *returned, rejected and damaged shipments*, in (1), (2), and (3) above, on return.

NOTE: Applicant states that the proposed service is to be performed under contract with De Angellis Supreme Anthracite, Inc., Coalbrook Iron and Metal Co., Inc., and John C. Baumann and Enid Baumann, doing business as John C. Baumann. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 125897 (Sub-No. 1), filed April 29, 1964. Applicant: ROBERT W. BRINKMAN AND JAMES A. KAUTZ, a partnership, doing business as PAUZER LINE, 1025 Seventh Street SW., Cedar Rapids, Iowa. Applicant's representa-

tive: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 622, Ottumwa, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wire milk carrying cases*, from Cedar Rapids, Iowa, to points in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Illinois (except points in the Chicago, Ill., Commercial Zone), Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia, and Wisconsin.

NOTE: Applicant states the above proposed operations will be performed under contract with Langer Manufacturing Company. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 125937 (Sub-No. 1), filed February 4, 1964. Applicant: RAY BROWN, doing business as RAY BROWN AND SONS, Post Office Box 463, Rushville, Nebr. Applicant's attorney: L. E. Mitchell, Rushville, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from Rushville, Nebr., to the Pine Ridge Indian Reservation in Pine Ridge, S. Dak.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Rushville, Nebr.

No. MC 126140 (Sub-No. 1), filed April 27, 1964. Applicant: TRANSPETRO, INC., Post Office Box 120, Wood River, Ill. Applicant's attorney: Horatio M. Davis, First National Bank Building, Springfield, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, from Pana, Ill., to points in Indiana and Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 126196 (Sub-No. 1), filed April 27, 1964. Applicant: LUVERNE S. CHRISTENSEN, doing business as CHRISTENSEN TRUCK LINE, 204 West 11th Street, Redwood Falls, Minn., 56283. Applicant's attorney: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rendering plant products*, including but not limited to, *meat scraps, bone meal, tankage, cracklings, hides and feather meal*, (1) from DeSmet, S. Dak., and points within 5 miles thereof, to points in Minnesota and Iowa, Omaha, Nebr., Lynn Center, Ill., and Milwaukee, Wis., and (2) from points in Minnesota to Watertown, S. Dak., Omaha, Nebr., Lynn Center, Ill., Milwaukee, Wis., and points in Iowa, and *exempt commodities* in (1) and (2) above, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 126210, filed April 27, 1964. Applicant: DALLAS KELLY, FREEMAN ADKINS, EUGENE ADKINS, a partnership, doing business as KELLY AND AD-

KINS TRUCKING COMPANY, Box 32, Jenkins, Ky. Applicant's attorney: Herbert D. Liebman, 403 West Main Street, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used machinery, used equipment, materials and supplies used in, or in connection, with the exploration, discovery, development, production, processing, storage, maintenance, construction, operation, repair, servicing and distribution of coal and its products and by-products, and coal mines, and empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, between points in Russell, Dickinson, Buchanan, and Wise Counties, Va., and points in Letcher, Pike, Leslie, Knott, Perry and Harlan Counties, Ky., and points in Virginia, Kentucky, West Virginia, Ohio, Pennsylvania, and Tennessee.

NOTE: Applicant states, only those commodities will be transported which because of size or weight require the use of special equipment and which require the use of a crane or boom to load and unload, and of related machinery parts and related materials and supplies when their transportation is incidental to the transportation by applicant of commodities which by reason of size or weight require special equipment. If a hearing is deemed necessary applicant requests it be held at Lexington, Ky.

No. MC 126214, filed April 27, 1964. Applicant: **WILLIAM H. REYNOLDS**, doing business as **REYNOLDS TRANSFER**, 233 West Sycamore Street, Grayville, Ill. Applicant's attorney: Joseph T. Scott, 110 South Middle Street, Grayville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Evansville, Ind., and Grayville, Ill.: from Evansville, over U.S. Highway 460 to Crossville, Ill., thence over Illinois Highway 1 to Grayville, and return over the same route, serving the intermediate points between Calvin and Grayville, Ill., including Calvin, and the off-route points of Cowling and Keensburg, Ill.

NOTE: If a hearing is deemed necessary applicant requests that it be held at Evansville, Ind.

No. MC 126216, filed April 27, 1964. Applicant: **GLENN PYLES**, doing business as **PYLES TRUCKING CO.**, Box 285, Deer Creek, Ill. Applicant's attorney: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill., 62707. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural equipment and machinery* (except farm tractors) including but limited to grain dryers, mixer-mills, hay conditioners, grain elevating equipment, and component parts of said equipment and machinery, between Morton, Ill., on the one hand, and, on the other, points in the United States east and south of Montana, Wyoming, Colorado, and New Mexico.

NOTE: If a hearing is deemed necessary applicant requests it be held at Springfield, Ill.

No. MC 126217, filed April 30, 1964. Applicant: **ALCO IMPORT-EXPORT AGENCY, INC.**, Post Office Box 13052, Port Everglades Station, Fort Lauderdale, Fla. Applicant's attorney: John T. Bond, 1955 Northwest 17th Avenue, Miami 35, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading) from Port Everglades, Fort Lauderdale, Fla., to points in Dade, Broward, and Palm Beach Counties, Fla., and from points in Dade, Broward and Palm Beach Counties, Fla., to Port Everglades, Fort Lauderdale, Fla.

NOTE: Applicant states the proposed operation will involve commodities having a prior or subsequent movement by water. If a hearing is deemed necessary, applicant states it be held at Ft. Lauderdale or in the alternative Miami, Fla.

No. MC 126218, filed April 30, 1964. Applicant: **THE ACME MOVING AND STORAGE CO., INC.**, 707 Scott Street, Charleston Heights, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between points in Charleston, Berkeley, Dorchester, and Colleton Counties, S.C.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Charleston, S.C.

MOTOR CARRIERS OF PASSENGERS

No. MC 61016 (Sub-No. 20), filed April 30, 1964. Applicant: **PETER PAN BUS LINES, INC.**, 144 Bridge Street, Springfield, Mass. Applicant's attorney: Frank Daniels, 11 Beacon Street, Boston, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Amherst, Mass., and Worcester, Mass., over Massachusetts Highway 9, serving the intermediate points of Pelham, Belchertown, Ware, West Brookfield, Brookfield, East Brookfield, Spencer, and Leicester.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 6344 (Sub-No. 6), filed April 20, 1964. Applicant: **JOHN W. TURNER**, doing business as **TURNER MOTOR COACH SERVICE**, 301 Elm Street, Fitchburg, Mass. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations in round trip sightseeing and pleasure tours, beginning and ending at points in that part of Massachusetts bounded by the Massachusetts-New Hampshire State line on the north, U.S. Highway 1

on the east, Rhode Island-Connecticut-Massachusetts State lines on the south, and U.S. Highway 5 on the west, and extending to points in the United States, including Alaska and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 96345 (Sub-No. 3), filed April 15, 1964. Applicant: **SOUTHERN MASSACHUSETTS BUS LINES, INC.**, 17 Swift Street, New Bedford, Mass. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers in special operations in round-trip sightseeing and pleasure tours, beginning and ending at points in Barnstable, Plymouth, Bristol, Nantucket, and Duke Counties, Mass., and points in Newport County, R.I., and extending to points in the United States (including Alaska and the District of Columbia).

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

MC 116009 (Sub-No. 4), filed April 30, 1964. Applicant: **JOHN R. CAMPBELL**, doing business as **TRI STATE TRANSIT CO.**, Route 21, Parkway, East Liverpool, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and newspapers*, in the same vehicle with passengers, (1) between East Liverpool, Ohio, and Chester, W. Va.; from East Liverpool over U.S. Highway 30 across the Chester Bridge to Chester, and return over the same route, serving all intermediate points, and (2) between East Liverpool, Ohio, and Newell, W. Va.; from East Liverpool along Fifth Street, across the Newell Bridge to Newell, and return over the same route, serving all intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 124732 (Sub-No. 5), filed April 29, 1964. Applicant: **SHER-WILL CORP.**, doing business as **FAIRFIELD COUNTY AIRPORT SERVICE**, 83 Wall Street, Norwalk, Conn. Applicant's attorney: Reubin Kaminsky, Suite 223, 410 Asylum Street, Hartford 3, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail and newspapers* in the same vehicle with passengers, between Danbury, Conn., and La Guardia Airport, New York, N.Y., and New York International Airport, Idlewild, N.Y., from Danbury over U.S. Highway 7 to junction Connecticut Highway 35, thence over Connecticut Highway 35 to Ridgefield, Conn., thence over Connecticut Highway 33 to Wilton, Conn., thence over U.S. Highway 7 to Norwalk, Conn., thence over Interstate Highway 95 to the corporate limits of New York, N.Y., thence over city streets and highways to La Guardia Airport and New York International Airport, and return over the same route, serving the

intermediate points of Ridgefield, Wilton and Norwalk, Conn.

NOTE: Applicant states the proposed operations will be limited to the transportation of not more than eleven (11) passengers in any one vehicle, not including the driver thereof. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

APPLICATIONS FOR WATER CARRIERS

WATER CARRIERS OF PROPERTY

No. W-12 (Sub-No. 5) (MORAN TOWING & TRANSPORTATION CO., INC. EXTENSION-HUNTSVILLE), filed May 4, 1964. Applicant: MORAN TOWING & TRANSPORTATION CO., INC., 17 Battery Place, New York, N.Y. Authority sought to extend service as a *common carrier* by water, by towing, in the transportation of *commodities generally and guided missiles* (in Government barges), and *parts thereof*, loaded and empty, (1) between the port of Huntsville, Ala. (including Redstone Arsenal) and the port of New Orleans, La. (including Michoud, La.) and (2) between the above named points and the Port of Cape Kennedy, Fla., via the Tennessee, Ohio, and Mississippi Rivers, portions of the Gulf of Mexico not already authorized, the Gulf Intracoastal Waterway, the Atlantic Intracoastal Waterway, the Cross-Florida Waterway and the Atlantic Ocean, and Texas points via the Gulf of Mexico, including tributary waters thereto, in order to serve Pearl River and other points as required by the U.S. Government.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12906, filed April 23, 1964. Applicant: KIMBLE H. PETERSON, doing business as MINOWA TRAVEL & TOUR AGENCY, 222 West Water Street, Post Office Box 228, Decorah, Iowa. Applicant's attorney: Ira J. Melaas, Jr., 301 West Broadway, Decorah, Iowa. For a license (BMC 5) to engage in operations as a *broker* at Decorah, Iowa, in arranging for transportation by motor vehicle, in interstate or foreign commerce of *passengers and their baggage*, in charter operations, beginning and ending at Decorah, Iowa, and extending to points in the United States.

No. MC 12908, filed April 23, 1964. Applicant: THE WIELAND TOURS COMPANY, INC., 2531 East Monument Street, Baltimore 5, Md. Applicant's attorney: Paul R. Kach, 1107 Mercantile Trust Building, Baltimore, Md. For a license (BMC 5) to engage in operation as a *broker* at Baltimore, Md., in arranging for the transportation by motor vehicle in interstate or foreign commerce of *passengers and their baggage*, in round-trip tours in special or chartered service, beginning and ending at Baltimore, Md., and points in Baltimore, Anne Arundel, Howard, and Harford Counties, Md., and extending to points in the United States, including Alaska but excluding Hawaii.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 149), filed April 27, 1964. Applicant: YOUNGER

BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating grease*, from New Orleans, La., to Baltimore, Md.

NOTE: Common control may be involved.

No. MC 3009 (Sub-No. 54), filed April 24, 1964. Applicant: WEST BROTHERS, INC., Post Office Box 1569, Hattiesburg, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points within 10 miles of Columbia, Miss., as off-route points in connection with applicant's authorized regular-route operations.

No. MC 107403 (Sub-No. 555), filed April 30, 1964. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roasted dolomite and other refractory products*, in bulk, in pressurized tank vehicles, from points in Liberty Township (Seneca County), Ohio to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania, Wisconsin, and West Virginia.

No. MC 114734 (Sub-No. 5), filed April 24, 1964. Applicant: D & J TRANSFER CO., a corporation, Sherburn, Minn. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meatpacking houses* as described in Sections A and C of Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. (except fallows in bulk, in tank vehicles), from Spencer, Iowa, to Kankakee, Ill.

NOTE: Applicant states the proposed operations will be under continuing contract with Spencer Packing Co.

No. MC 114890 (Sub-No. 30), filed April 16, 1964. Applicant: KENNETH CHILDRESS, doing business as, C. E. REYNOLDS GASOLINE & CHEMICAL TRANSPORT CO., Post Office Box A, Joplin, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Spent sulphuric acid*, in bulk, in tank vehicles, from Neodesha, Kans., to Bartlesville, Okla., and (b) *zinc sulphate solutions*, in bulk, in tank vehicles, from Henryetta, Okla., to Galena, Kans.

No. MC 116014 (Sub-No. 11), filed April 26, 1964. Applicant: RALPH OLIVER AND MRS. SCOTT OLIVER, doing business as OLIVER TRUCKING CO., West Bloomfield Road, Winchester, Ky. Applicant's attorney: Robert M. Pearce, 221 St. Clair, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, skids, bases, boxes, crating, veneer, baskets, staves, barrel heads, cardboard cartons, nails and metal banding*, between points in Kentucky on and east of U.S. Highway 31E.

No. MC 119987 (Sub-No. 5), filed April 24, 1964. Applicant: FRANK RUSSEL CROCKETT, doing business as F. R. CROCKETT, R.F.D. 2, North Tazewell, Va. Applicant's attorney: Robert M. Richardson, 602 Law and Commerce Building, Bluefield, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Fruit juices, dairy products, fruit and milk beverages, frozen confections and advertising matter and empty cases*, between Bluefield (Tazewell County), Va., and Pikeville (Pike County), Ky., over U.S. Highway 460, serving Richlands and Grundy, Va., as intermediate points.

NOTE: Applicant is also authorized to conduct operations as a *contract carrier* in Permit MC 125553; therefore dual operations may be involved.

No. MC 123446 (Sub-No. 12), filed May 4, 1964. Applicant: BAKERY PRODUCTS DELIVERY, INC., 404 West Putnam Avenue, Greenwich, Conn. Applicant's attorney: Reubin Kaminsky, Suite 223, 410 Asylum Street, Hartford 3, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products* (except unleavened and frozen bakery products), from the plant site of Arnold Bakers, Inc., located at Port Chester, N.Y., to Hamden and Ledyard, Conn., New Castle, Del., Brentwood, Md., Bourne, Mass., Cranbury, Fords, Palmyra, and Union, N.J., and Bellows Falls, Vt., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities; and *stale, damaged, refused, rejected and nonsalable bakery products* (except frozen and unleavened bakery products), on return.

No. MC 123446 (Sub-No. 13), filed May 4, 1964. Applicant: BAKERY PRODUCTS DELIVERY, INC., 404 West Putnam Avenue, Greenwich, Conn. Applicant's attorney: Reubin Kaminsky, Suite 223, 410 Asylum Street, Hartford 3, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products* (except frozen and unleavened bakery products) from the plant site of S. B. Thomas, Inc., located at Totowa, N.J., to Washington, D.C., Baltimore, Md., Boston, Mass., Philadelphia, Pa., Bellows Falls, Vt., and Plantsville, Conn., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, and *stale, damaged, refused, rejected and nonsalable bakery products* (except frozen and unleavened bakery products), on return.

No. MC 126161 (Sub-No. 2), filed April 30, 1964. Applicant: SAMUEL E. JACOBSON AND HOWARD WEBB, doing business as JACOBSON AND WEBB, Route 3, Mt. Sterling, Ky. Applicant's attorney: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville 2, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and fertilizer*, in bags, from Cincinnati, Ohio, to Owingsville, Ky.

No. MC 126215, filed April 24, 1964. Applicant: BOB DUNCAN, 326 East Ohio Street, Marshall, Mo. Authority sought

to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Feed and fertilizer, between Kansas City, Kans., and Maryland Heights, Springfield, and Joplin, Mo., and points in Saline County, Mo.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 48), filed April 27, 1964. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill., 60603. Applicant's attorney: W. T. Meinhold, 371 Market Street, San Francisco, Calif., 94105. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Passengers and their baggage, and express and newspapers in the same vehicle with passengers. 1. Revision of California Routes Nos. 48 and 52 on Certificate Sheet No. 13, and California Route No. 56 on Certificate Sheet No. 14. (a) Reroute regular Route No. 48 between Oroville Junction and Oroville so as to adopt a segment of relocated Alternate U.S. Highway 40 to be renumbered as California Highway 70, between Wicks Corner and Oroville Dam Road Interchange in lieu of the presently authorized segment of said route between Wicks Corner and Oroville, to read as follows: "between Oroville Junction and Oroville Dam Road Interchange: from junction U.S. Highway 99E and California Highway 149 (Oroville Junction), over California Highway 149 to junction California Highway 70 (Wicks Corner), thence over California Highway 70 to junction California Highway 162 (Oroville Dam Road Interchange)". (b) Reroute alternate Route No. 52 between South Oroville and Marysville to change the northern terminus from South Oroville to Oroville Dam Road Interchange so as to adopt a segment of relocated Alternate U.S. Highway 40, to be renumbered as California Highway 70, between Oroville Dam Road Interchange and the junction of unnumbered highway (formerly Alternate U.S. Highway 40) at South Oroville Junction in lieu of the presently authorized segment of route between South Oroville and South Oroville Junction, to read as follows: "between Oroville Dam Road Interchange and Marysville: from junction California Highway 162 and California Highway 70 over California Highway 70 to Marysville. Alternate route to be used for operating convenience only, with no service at intermediate points."

(c) Revise regular route No. 56 between Oroville and Hallelujah Junction to eliminate duplication with a segment of proposed Route No. 48 between Oroville and Wicks Corner, changing the western terminus of said route to Wicks Corner, to read as follows: "between Wicks Corner and Hallelujah Junction: from Wicks Corner over California Highway 70 to Junction U.S. Highway 395 (Hallelujah Junction)."

2. Revision of California Route No. 61 on Certificate Sheet No. 14. Establish a new regular route of operation over a relocated segment of U.S. Highway 6 to be renumbered as California Highway 14, between Ward Road Overcrossing and Solamint Junction to be included as

a segment of regular Route No. 61 and eliminate the segment of present regular Route No. 61 between these points in lieu thereof, to read as follows: "between the Nevada-California State line north of Coleville and Saugus: from the point where U.S. Highway 395 intersects the Nevada-California State line, over U.S. Highway 395 to Inyokern, thence over unnumbered highway to junction California Highway 14 (Inyokern Junction), thence over California Highway 14 to junction unnumbered highway east of Saugus (North Saugus Road Junction), thence over unnumbered highway to Saugus (connects with Nevada route 2)," and return over the same routes, serving all intermediate points (except where otherwise specified), subject to the general conditions and orders set forth on First Revised Sheet No. 1A of former Certificate No. MC 1501 (Sub-No. 138), now assigned No. MC 1515 (Sub-No. 7).

NOTE: The changes in operating authority hereinabove shown and explained are proposed to be incorporated in the designated revised sheets to said Certificate No. MC 1501 (Sub-No. 138), now MC 1515 (Sub-No. 7). Common control may be involved.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-4762; Filed, May 12, 1964; 8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MAY 8, 1964.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. 15481, filed April 16, 1964. Applicant: ANNISTON MOTOR EXPRESS, INC., Post Office Box 1864, Anniston, Ala. Applicant's attorney: Donald L. Morris, 937 Bank for Savings Building, Birmingham, Ala. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of general commodities (except household goods), between Birmingham, Ala., on the one hand, and, on the other, Anniston, Ala., and points within ten (10) miles thereof.

NOTE: Applicant presently holds authority in Certificate No. 2673, dated September 18,

1962, issued by the Alabama Public Service Commission, registered with the Interstate Commerce Commission under Docket No. MC 121447 (Sub-No. 1), which reads as follows: "general commodities between Birmingham, Ala., on the one hand, and Anniston, Ala., on the other hand, with no service to intermediate points, and general commodities, except household goods, over irregular routes between Anniston, Ala. and points and places within 10 miles thereof."

Applicant states the purpose of this application is to remove these restrictions presently imposed upon this authority.

Date, time and place assigned for hearing this application, and requests for procedural information, including the time for filing protests, concerning this application should be addressed to Orville P. Large, Secretary, Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala., 36102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-4763; Filed, May 12, 1964; 8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below \$1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishments employed full-time students at wages below \$1.00 an hour in the base period.

REGION I

G. C. Murphy Co., No. 97, 134-136 Church Street, Naugatuck, Conn.; effective 4-1-64 to 9-2-64 (variety store; 19 employees).

J. J. Newberry Co., 182 Massachusetts Avenue, Boston, Mass.; effective 4-13-64 to 9-2-64 (variety store; 16 employees).

REGION III

S. S. Kresge Co., No. 698, 460 Harundale Shopping Center, Glen Burnie, Md.; effective 4-13-64 to 9-2-64 (variety store; 49 employees).

McCroery's, No. 21, 110-114 Baltimore Street, Cumberland, Md.; effective 4-13-64 to 9-2-64 (variety store; 30 employees).

McCroery Stores Corp., No. 314, 6311 York Road, Baltimore, Md.; effective 4-10-64 to 9-2-64 (variety store; 36 employees).

McCroery-McLellan & Green, 3274 North Fifth Street, Reading, Pa.; effective 4-10-64 to 9-2-64 (variety store; 23 employees).

G. C. Murphy Co., No. 51, 518-20 Chartiers Street, McKees Rocks, Pa.; effective 4-14-64 to 9-2-64 (variety store; 28 employees).

F. W. Woolworth Co., 733 Hamilton Street, Allentown, Pa.; effective 4-13-64 to 9-2-64 (variety store; 62 employees).

F. W. Woolworth Co., No. 442, 555-57 North Main Street, Bethlehem, Pa.; effective 4-13-64 to 9-2-64 (variety store; 27 employees).

F. W. Woolworth Co., No. 431, 139-145 South Main Street, Butler, Pa.; effective 4-13-64 to 9-2-64 (variety store; 57 employees).

F. W. Woolworth Co., No. 1578, 6174 Ridge Avenue, Philadelphia, Pa.; effective 4-16-64 to 9-2-64 (variety store; 24 employees).

F. W. Woolworth Co., 530 Penn Street, Reading, Pa.; effective 4-13-64 to 9-2-64 (variety store; 50 employees).

REGION IV

Lantana Variety, Inc., d/b/a T.G. & Y. Stores Co., No. 225, 3445 Florida Street, Baton Rouge, La.; effective 4-8-64 to 9-2-64 (variety store; 13 employees).

McCroery Stores Corp., No. 298, 538-540 Jefferson Street, Lafayette, La.; effective 4-1-64 to 9-2-64 (variety store; 37 employees).

REGION VI

S. S. Kresge Co., 2733 North Clark Street, Chicago, Ill.; effective 4-1-64 to 9-2-64 (variety store; 10 employees).

S. S. Kresge Co., 217 East Main Street, Sreator, Ill.; effective 4-1-64 to 9-2-64 (variety store; 10 employees).

S. S. Kresge Co., No. 176, Crystal Shopping Center, Broadway and Bass Lake Road, Minneapolis, Minn.; effective 4-1-64 to 9-2-64 (variety store; 20 employees).

S. S. Kresge Co., 1303 Tower Avenue, Superior, Wis.; effective 4-1-64 to 9-2-64 (variety store; 16 employees).

Newberry-Wabash, Inc., Woodmar Shopping Center, 6528 Indianapolis Boulevard, Hammond, Ind.; effective 4-1-64 to 9-2-64 (variety store; 61 employees).

F. W. Woolworth Co., No. 2196, 4425 Tricity Plaza, Gary, Ind.; effective 4-1-64 to 9-2-64 (variety store; 26 employees).

F. W. Woolworth Co., No. 2336, 1300 East 86th Street, Indianapolis, Ind.; effective 4-1-64 to 9-2-64 (variety store; 27 employees).

F. W. Woolworth Co., No. 1216, 1601 West Chicago Avenue, Chicago, Ill.; effective 4-1-64 to 9-2-64 (variety store; 37 employees).

F. W. Woolworth Co., 5141 West Chicago Avenue, Chicago, Ill.; effective 4-1-64 to 9-2-64 (variety store; 22 employees).

F. W. Woolworth Co., No. 742, 4613 North Broadway, Chicago, Ill.; effective 4-1-64 to 9-2-64 (variety store; 30 employees).

F. W. Woolworth Co., No. 2343, 565 Roosevelt Road, Glen Ellyn, Ill.; effective 4-1-64 to 9-2-64 (variety store; 28 employees).

F. W. Woolworth Co., No. 318, 39 South Side Square, Jacksonville, Ill.; effective 4-1-64 to 9-2-64 (variety store; 37 employees).

F. W. Woolworth Co., 115 North Main, Rockford, Ill.; effective 4-1-64 to 9-2-64 (variety store; 30 employees).

F. W. Woolworth Co., No. 1313, 519 Seventh Street, Rockford, Ill.; effective 4-1-64 to 9-2-64 (variety store; 11 employees).

REGION VII

Bell's Super Market, Inc., 5420 Leavenworth Road, Kansas City, Kans.; effective 4-1-64 to 9-2-64 (food store; 29 employees).

Boulevard Food Store, 1021 Nebraska Street, Sioux City, Iowa; effective 4-1-64 to 9-2-64 (food store; 21 employees).

Hested Stores Co., No. 787, 4259 West Florida Avenue, Denver, Colo.; effective 4-1-64 to 9-2-64 (variety store; 11 employees).

Hested Stores Co., No. 769, 4922 South 24th Street, Omaha, Nebr.; effective 4-1-64 to 9-2-64 (variety store; 24 employees).

S. S. Kresge Co., No. 95, 320 Jefferson Street, Burlington, Iowa; effective 4-1-64 to 9-2-64 (variety store; 24 employees).

S. S. Kresge Co., No. 197, Sears Center, 546 South Santa Fe Avenue, Salina, Kans.; effective 4-1-64 to 9-2-64 (variety store; 21 employees).

S. S. Kresge Co., No. 461, 2705 Cherokee Street, St. Louis, Mo.; effective 4-1-64 to 9-2-64 (variety store; 27 employees).

Neisner Brothers, Inc., No. 48, 1001 16th Street, Denver, Colo.; effective 4-1-64 to 9-2-64 (variety store; 27 employees).

Neisner Brothers, Inc., No. 87, 308 Jefferson Street, Burlington, Iowa; effective 4-1-64 to 9-2-64 (variety store; 13 employees).

Neisner Brothers, Inc., No. 81, 703 Main Street, Dubuque, Iowa; effective 4-1-64 to 9-2-64 (variety store; 34 employees).

Neisner Brothers, Inc., No. 83, 407 Fourth Street, Sioux City, Iowa; effective 4-1-64 to 9-2-64 (variety store; 22 employees).

Neisner Brothers, Inc., No. 59, 2700 Cherokee Street, St. Louis, Mo.; effective 4-1-64 to 9-2-64 (variety store; 22 employees).

Neisner Brothers, Inc., No. 70, 308 South 16th Street, Omaha, Nebr.; effective 4-1-64 to 9-2-64 (variety store; 36 employees).

J. J. Newberry Co., No. 394, 808 Broadway, Columbia, Mo.; effective 4-1-64 to 9-2-64 (variety store; 30 employees).

Weeks, Inc., 505 South Santa Fe, Salina, Kans.; effective 4-1-64 to 9-2-64 (food store; 71 employees).

REGION IX

J. J. Newberry Co., No. 461, 3743 East Thomas Road, Phoenix, Ariz.; effective 4-1-64 to 8-31-64 (variety store; 71 employees).

REGION X

McCroery-McLellan-Green, No. 309, 675 North Glebe Road, Arlington, Va.; effective 4-1-64 to 9-2-64 (variety store; 51 employees).

REGION XI

S. S. Kresge Co., No. 725, Northside Center, 20 Northside Plaza, Miami, Fla.; effective 4-17-64 to 9-2-64 (variety store; 40 employees).

J. J. Newberry Co., 41-43 Patton Ave., Asheville, N.C.; effective 4-1-64 to 9-2-64 (variety store; 30 employees).

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates of not less than 85 cents an hour in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below \$1.00 an hour to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Boonville Foods, Inc., 1004 Main Street, Boonville, Mo.; effective 4-16-64 to 9-2-64; carryout boys; between 8.5 percent and 10 percent (food store; 17 employees).

Jupiter, No. 4563, 926 16th Street, Bedford, Ind.; effective 4-17-64 to 9-2-64; sales clerks; between 6.0 percent and 10 percent (variety store; five employees).

K-Mart, Johnson City Plaza, 2116 North Roane, Johnson City, Tenn.; effective 4-17-64 to 9-2-64; sales clerks; between 2.1 percent and 6.9 percent (variety store; 69 employees).

S. S. Kresge Co., No. 701, Westgate Shopping Center, Unit 143, Abilene, Tex.; effective 4-21-64 to 9-2-64; stock clerk, porter; between 3.1 percent and 5.4 percent (variety store; 23 employees).

G. C. Murphy Co., No. 296, Gateway Shopping Center, 1836 Highway 31 South, Decatur, Ala.; effective 5-2-64 to 9-2-64; sales, clerical, stock keeping, janitorial; 10 percent for each month (variety store; 39 employees).

Piggly Wiggly, Texas Street, L. B. Griffin, Jr., Owner, Post Office Box 430, De Ridder, La.; effective 4-1-64 to 9-2-64; bag boy; between 2.8 percent and 10 percent (food store; 21 employees).

F. W. Woolworth Co., No. 2474, 206 Main Street, Pontiac, Ill.; effective 4-1-64 to 9-2-64; sales clerk; between 5.7 percent and 10 percent (variety store; 21 employees).

The following certificate was issued to an establishment under paragraph (k) of § 519.6 of 29 CFR, Part 519. This certificate supplements the certificate issued pursuant to other paragraphs of that section, but does not authorize the employment of full-time students at rates below \$1.00 an hour in additional occupations. The certificate contains limitations on the percentage of full-time student hours of employment at rates below \$1.00 an hour to total hours of employment of all employees. The additional allowances apply to the specified months and vary from month to month between the minimum and maximum figures indicated.

E & F Corp., d/b/a Ramey Super Market, No. 1, 1612 South Glenstone, Springfield, Mo.; effective 4-16-64 to 8-31-64; between 1.0 percent and 1.3 percent for the months of April through August (food store; 45 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 5th day of May 1964.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 64-4747; Filed, May 12, 1964; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

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