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FEDERAL REGISTER

VOLUME 27 NUMBER 133

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11035

MANAGEMENT OF FEDERAL OFFICE SPACE

By virtue of the authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Administrator of General Services (hereinafter referred as the Administrator) shall initiate and maintain plans and programs for the effective and efficient acquisition and utilization of Federally-owned and leased office space located in the states of the United States or in the District of Columbia or in Puerto Rico (hereinafter termed "in the United States"). The Administrator shall prepare and issue standards and criteria for the use of such office space and shall periodically undertake surveys of space requirements and space utilization in the executive agencies and initiate actions and formulate programs to meet the essential office space requirements of executive agencies. In carrying out these functions, the Administrator shall (a) coordinate proposed programs and plans for office buildings and space with the Bureau of the Budget, (b) obtain from the Civil Service Commission and the Office of Emergency Planning any information in the possession of those agencies which may bear upon such programs and plans, (c) take steps to relate programs for Federal office space to urban and metropolitan area planning and redevelopment objectives, (d) seek the cooperation of the heads of the executive agencies concerned with any of the foregoing, and (e) annually submit long-range plans and programs for the acquisition, modernization, and use of space for approval by the President.

SEC. 2. In carrying out the provisions of Section 210(e) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(e)):

(a) The Administrator, and the heads of executive agencies, shall be guided by the following policies for the assignment, reassignment, and utilization of office buildings and space in the United States:

(1) Primary consideration shall be given to the efficient performance of the missions and programs of the executive agencies, with due regard for the convenience of the public served and the maintenance and improvement of the working conditions of employees;

(2) Maximum use shall be made of existing Government-owned permanent buildings which are adequate or economically adaptable to the space needs of executive agencies;

(3) Suitable privately-owned space shall be acquired only when satisfactory Government-owned space is not available, and only at rental charges which are consistent with prevailing scales in the community for comparable facilities;

(4) Space planning and assignments shall take into account the objective of consolidating agencies and constituent parts thereof in common or adjacent space for the purpose of improving management and administration;

(5) The quality of office space for Government operations shall be appropriate for the efficient and economical performance of governmental activities, while affording employees safe, healthful, and convenient conditions of employment.

(b) The Administrator shall assign and reassign office space in the United States upon his determination that such assignment or reassignment will serve to improve the management and administration of governmental activities and services, and will foster economy and efficiency. Prior to making such determinations, the Administrator shall consult with the heads of the executive agencies concerned and

take fully into account their requirements, consistent with his responsibilities. In the event that a head of an agency deems space assigned or reassigned to his agency to be unsuitable, and the agency head and the Administrator are unable to resolve the matter, the former, as promptly as may be practicable and in no event later than the effective date of the Administrator's assignment or reassignment, may make a written report thereof, including information and views pertinent thereto, to the President or to the Director of the Bureau of the Budget.

SEC. 3. The heads of executive agencies shall (a) cooperate with and assist the Administrator in carrying out his responsibilities respecting office buildings and space, (b) take measures to give the Administrator early notice of new or changing space requirements, (c) seek to economize in their requirements for space, and (d) review continuously their needs for space in and near the District of Columbia, taking into account the feasibility of decentralizing services or activities which can be carried on elsewhere without excessive costs or significant loss of efficiency.

SEC. 4. The provisions of this order shall be subject to applicable provisions of law (including applicable provisions of any reorganization plan).

SEC. 5. To the extent that it pertains to office space and buildings, the letter of the President to the Administrator, General Services Administration, dated August 31, 1960, is hereby superseded.

JOHN F. KENNEDY

THE WHITE HOUSE,
July 9, 1962.

[F.R. Doc. 62-6811; Filed, July 9, 1962; 5:03 p.m.]

Rules and Regulations

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 82, 6th Rev.]

PART 309—VESSEL VALUES FOR WAR RISK INSURANCE

Part 309 is hereby revised by changing the existing text to read as follows:

FINDINGS AND SCOPE

AUTHORITY: §§ 309.1 through 309.8 and 309.101 issued under sec. 204, 49 Stat. 1987, as amended, sec. 1209, 64 Stat. 775, as amended, 70 Stat. 984; 46 U.S.C. 1114, 1289.

FINDINGS AND SCOPE

§ 309.1 Findings.

The Maritime Administrator has found that the values provided in this part constitute just compensation for the vessels to which they apply, computed in accordance with subsection 902(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1242), pursuant to section 1209(a), Merchant Marine Act, 1936, as amended (46 U.S.C. 1289(a)), Public Law 958, 84th Congress, and the authority delegated to the Maritime Administrator by the Secretary of Commerce in section 3, of Department Order No. 117 (Revised) (26 F.R. 7713, August 17, 1961).

§ 309.2 Scope.

(a) *Vessels included.* This part establishes values for self-propelled ocean-going iron and steel vessels (other than vessels excluded pursuant to paragraph (b) of this section) for which war risk insurance is provided by the Maritime Administrator pursuant to Title XII, Merchant Marine Act, 1936, as amended (46 U.S.C. 1281–1294), Public Law 763, 81st Congress, Public Law 209, 84th Congress, Public Law 958, 84th Congress. The values established by this part represent the maximum amounts for which the Maritime Administrator will provide war risk hull insurance for damage to or actual or constructive total loss of the vessel and for which claims for damage to or actual or constructive total loss of such insured vessels may be adjusted, compromised, settled, adjudged, or paid, by the Maritime Administrator with respect to insurance attaching on or after January 1, 1962, under the Standard Forms of War Risk Hull insurance Interim Binder or policy prescribed by §§ 308.106 and 308.107 of this chapter (General Order 75, 2d Rev., 26 F.R. 4541, May 26, 1961). Revised values will be prescribed in subsequent revisions of this part, which are expected to be issued at least every six months. The latest published values will remain in effect until new ones are published.

(b) *Vessels excluded.* The values established pursuant to §§ 309.3 through 309.5 do not apply to pasenger vessels, lumber schooners, car ferries, seatrains, cable ships, bulk cement and ore carriers other than colliers built prior to 1939, vessels operated on the Great Lakes and inland waterways, fully refrigerated vessels, vessels of less than 1,500 gross tons, or any other vessels or class of vessels to which the Martime Administrator finds that the provisions of said sections would not be appropriate. Values for vessels excluded by this paragraph (b), shall be specifically determined by the Maritime Administrator and set forth in § 309.101.

(c) *Fuel, stores, and supplies.* Values for fuel, stores and supplies will be prescribed at a later date.

BASIC VALUES

§ 309.3 Vessels built during or after 1939.

(a) *Basic values.* The values of vessels built during or after 1939 shall be determined in accordance with this section, subject to the applicable adjustments provided in § 309.5.

(b) *War-built vessels.* (1) The values of the standard types of war-built vessels listed in this subparagraph (1) which have the lawful right to engage in the coastwise trade of the United States are as follows:

Standard-type vessel	*Value*
EC2–S–C1	$300,000
EC2–S–AW1	320,000
VC2–S–AP2	500,000
C1–M–AV1	320,000
C1–A and B (Steam)	400,000
C1–A and B (Diesel)	380,000
C2–S–B1	685,000
C3–S–A2	875,000
C4–S–B5	980,000
T1–M–BT	340,000
T2–SE–A1	470,000
T3–S–A1	480,000
T3–S–BZ1	1,030,000

(2) The values of the standard types of war-built vessels (whether under United States or foreign flag) listed in this subparagraph (2) which do not have the lawful right to engage in the coastwise trade of the United States are as follows:

Standard-type vessel	*Value*
EC2–S–C1	$270,000
EC2–S–AW1	305,000
C1–M–AV1	295,000
VC2–S–AP2	465,000
C1–A (Diesel)	360,000
T2–SE–A1	285,000
T1–M–BT	225,000

(3) The values of the standard subtypes of war-built vessels listed in this subparagraph (3) shall be determined as follows:

(i) If the subtype vessel has the lawful right to engage in the coastwise trade of the United States, by multiplying the basic value of the standard-type vessel listed in subparagraph (1) of this paragraph by the factor shown opposite the subtype in the table set forth in this subparagraph (3), or

(ii) If the subtype vessel does not have the lawful right to engage in the coastwise trade of the United States, by multiplying the basic value of the standard-type vessel listed in subparagraph (2) of this paragraph by the factor shown opposite the subtype in this table, set forth in the subparagraph (3).

TABLE

Subtype	*Factor*
VC2–S–AP3	112%—VC2–S–AP2
VC2–M–AP4	90%—VC2–S–AP2
C1–M–AV6	100%—C1–M–AV1
C1–M–AV8	100%—C1–M–AV1
C2–S–A1	85%—C2–S–B1
C2–S–AJ1	100%—C2–S–B1
C2–S–AJ2	110%—C2–S–B1
C2–S–AJ3	100%—C2–S–B1
C2–S–AJ5	105%—C2–S–B1
C2–Cargo	100%—C2–S–B1
C2–S–E1	100%—C2–S–B1
C2–F	100%—C2–S–B1
C2–S	103%—C2–S–B1
C2–SU	95%—C2–S–B1
C3–Cargo	100%—C3–S–A2
C3–S–A1	100%—C3–S–A2
C3–S–A3	80%—C3–S–A2
C3–S–A4	109%—C3–S–A2
C3–S–A5	109%—C3–S–A2
C3–E	74%—C3–S–A2
C3–M	100%—C3–S–A2
C3–S–BH1	100%—C3–S–A2
C3–S–BH2	105%—C3–S–A2
C4–S–A4	100%—C4–S–B5
T1–M–BT1	100%—T1–M–BT
T1–M–BT2	100%—T1–M–BT
T2–SE–A2	108%—T2–SE–A1
T2–SE–A3	108%—T2–SE–A1
T2	108%—T2–SE–A1
T3–M–AZ1	110%—T3–S–A1
T3–S–BF1	130%—T3–S–A1

(c) *Other vessels.* The value of a vessel built during or after 1939 which is not included in paragraph (b) of this section shall be the current domestic market value as determined by the Maritime Administrator.

§ 309.4 Vessels built prior to 1939.

The basic values of vessels built prior to 1939 shall be as follows, subject to applicable adjustments provided in § 309.5:

(a) For dry cargo vessels, $6.25 per deadweight ton;

(b) For tank vessels, $6.00 per deadweight ton;

(c) For collier vessels, $6.25 per deadweight ton.

GENERAL PROVISIONS

§ 309.5 Adjustments for condition, equipment and other considerations.

The basic values provided in § 309.3 shall be adjusted for individual vessels to the extent provided in paragraphs (a)

to (d) of this section. The basic values provided in § 309.4 shall be adjusted for individual vessels to the extent provided in paragraphs (a) to (f) of this section.

(a) *Adjustment for a vessel of substandard condition.* If the Maritime Administrator is of the opinion that a vessel is not in class or is in substandard condition for a vessel of her type or subtype and age, there shall be subtracted from the basic value of such vessel, as determined pursuant to §§ 309.3 and 309.4 the amount estimated by the Administrator as the cost of putting the vessel in class or the amount estimated by the Administrator as the difference in value of the substandard vessel and a vessel in standard condition.

(b) *Special equipment.* For any special equipment of material utility in the handling of cargo or utilization of the vessel, not otherwise included in determining the basic value pursuant to § 309.3 or § 309.4, if the depreciated reproduction cost less construction subsidy, if any, of all such special equipment is in excess of $50,000.00, an allowance in such amount as the Maritime Administrator shall determine to be the fair and reasonable value of such equipment less construction-differential subsidy thereon, shall be added to the basic value.

(c) *Government installations.* The values provided by this part shall not include any allowance for any special installations or equipment to the extent that their cost was borne by the United States.

(d) *Construction subsidized vessel.* In the case of a construction subsidized vessel, for the period of insurance prior to requisition for title or use the valuation determined in accordance with § 309.3 shall be reduced by such proportion as the amount of construction subsidy paid with respect to the vessel bears to the entire construction cost and capital improvements thereof (excluding the cost of national defense features), and for the period of insurance after requisition for use the valuation determined in accordance with § 309.3 shall not exceed the amount which would be payable under section 802 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1212), in the case of requisition for title or use.

(e) *Speed.* The basic values determined pursuant to § 309.4 for vessels built prior to 1939 shall be adjusted as provided in subparagraph (1) or (2) of this paragraph.

(1) *Allowance for speed of more than 11 knots.* For vessels having a speed of more than 11 knots, there shall be added to the basic values provided in § 309.4 $0.15 per deadweight ton for each knot thereof in excess of 11 knots (fractions of knots to be prorated to the nearest one-fourth).

(2) *Deduction for speed of less than 9 knots.* For vessels having a speed of less than 9 knots, there shall be deducted from the basic values provided in § 309.4 $0.15 per deadweight ton for each knot thereof less than 9 knots (fractions of knots to be prorated to the nearest one-fourth).

(f) *Refrigeration.* (1) The basic values determined pursuant to § 309.4 shall be adjusted for refrigerated space as provided in this paragraph, subject to the limitation provided in paragraph (c) of this section.

(2) The net cubic capacity of each separately insulated refrigerated compartment of the vessel, exclusive of any refrigerated space ordinarily required for vessel's stores, shall be computed, and the total cubic capacity of all such compartments shall then be ascertained.

(3) The number of net cubic feet of the sum of all refrigerated compartments of the vessel, exclusive of the refrigerated space ordinarily required for the vessel's stores, shall then be multiplied by $0.05 for vessels built prior to 1939.

§ 309.6 Definitions.

(a) *Date vessel is built.* The date a vessel is built is the date upon which the vessel is delivered by the shipbuilder.

(b) *Deadweight tonnage.* The deadweight tonnage of a vessel means her deadweight capacity established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2,240 pounds) for cargo, fuel, fresh water, spare parts and stores, but exclusive of permanent ballast.

(c) *Speed of vessel.* The speed of a vessel means the speed determined in accordance with the formulae provided in Part 246 of this chapter (General Order 43, 3d Revision, 24 F.R. 3793, May 12, 1959).

(d) *Passenger vessel.* A passenger vessel is a ship which carries more than twelve passengers.

(e) *Construction subsidized vessel.* A construction subsidized vessel is a vessel built, reconstructed, or reconditioned with the aid of a construction-differential subsidy under Title V of the Merchant Marine Act, 1936, as amended, or a vessel sold by the United States which is subject by operation or law or contract to the provisions of section 802 of the Merchant Marine Act, 1936, as amended.

(f) *Vessel.* The stated valuation of a vessel in this order applies to a vessel in Class A–1 American Bureau of Shipping or equivalent, with all required certificates, including but not limited to marine inpection certificates of the Coast Guard, Treasury Department, with all outstanding requirements and recommendations necessary for retention of class accomplished; and so far as due diligence can make her so, tight, staunch, strong and well and sufficiently tackled, appareled, furnished and equipped, and in every respect seaworthy and in good running condition and repair, with clean swept holds and in all respects fit for service. A vessel in substandard condition is subject to § 309.5(a). The stated valuation of a vessel provided in this order does not include vessel stores and supplies, which consist of (1) Consumable Stores, (2) Subsistence Stores, (3) Slop Chest, (4) Bar Stock, and (5) Fuel, as defined in Maritime Administration Inventory Manual, Vessel Inventories, Part 1, and Maritime Administration Inventory Books, Forms MA–4736, A through K, which will be valued separately.

§ 309.7 Modifications.

The Maritime Administrator reserves the right to exempt specific vessels from the scope of this part, or to amend, modify, or terminate the provisions hereof.

§ 309.8 Vessel data forms.

(a) *To accompany application for insurance.* Each application for war risk hull insurance submitted in accordance with § 308.101 of this chapter (General Order 75, 2d Rev., 26 F.R. 4541, May 26, 1961) shall be accompanied by information relating to the vessel for use by the Maritime Administrator in determining the value pursuant to this part. The information shall be submitted in duplicate on the applicable form prescribed in this section, copies of which may be obtained from the American War Risk Agency, 99 John Street, New York, N.Y., or the Chief, Division of Insurance, Maritime Administration, Washington 25, D.C.

(b) *Vessels of 1,500 gross tons or over*—(1) *War-built vessels.* If the vessel is a standard or subtype war-built vessel listed in § 309.3(b) (1), (2), or (3), vessel data shall be submitted on Form MA–470.

(2) *Construction subsidized vessels.* If the vessel is a construction subsidized vessel as defined in § 309.6(e) or a vessel for which the purchase price was adjusted under section 9 of the Merchant Ship Sales Act of 1946, vessel data shall be submitted on Form MA–471.

(3) *Other vessels built during or after 1939.* If the vessel was built during or after 1939, and if it is not included in subparagraph (1) or (2) of this paragraph, vessel data shall be submitted on Form MA–472.

(4) *Vessels built prior to 1939.* If the vessel is a dry cargo, tank or collier vessel built prior to 1939, vessel data shall be submitted on Form MA–473.

(5) *Vessels excluded by § 309.2(b).* If the vessel is 1,500 gross tons or more and is excluded by § 309.2(b), vessel data shall be submitted on Form MA–474.

(c) *Vessels of less than 1,500 gross tons.* If the vessel is of less than 1,500 gross tons, vessel data shall be submitted on Form MA–63.

(d) *Modifications to vessels.* Revised vessel data shall be submitted on the appropriate form prescribed above whenever a vessel undergoes a physical change which increases or decreases its value by five percent or more.

VALUES FOR INDIVIDUAL VESSELS

§ 309.101 Determination of values.

(a) *Vessels covered by §§ 309.3 through 309.5.* (1) Whereas, the Maritime Administrator has found that the values established pursuant to §§ 309.3 through 309.5 constitute just compensation for the vessels to which they apply, computed in accordance with section 902(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1242); and section 1209(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1289), Public Law 958, 84th Congress (70 Stat. 984); and pursuant thereto has determined the values of vessels covered by interim binders for war risk hull insur-

ance, Form MA–184, prescribed by Part 308 of this chapter (General Order 75, 2d Rev., 26 F.R. 4541, May 26, 1961).

(2) Therefore, it is ordered that the interim binders listed below shall be deemed to have been amended as of January 1, 1962, by inserting in the space provided therefor or in substitution for any value now appearing in such space the stated valuation of the vessels set forth below for the binders and vessels as designated. Nevertheless, the Assured shall have the right within sixty days after date of publication of this order or within sixty days after the attachment of the insurance under said binder, whichever is later, to reject such valuation and proceed as authorized by section 1209(a)(2) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1289).

Binder No.	Name of vessel	Official No.	Stated valuation
870	Achilles	281702	$9,575,000
1287	Aegina	1315	270,000
94	Afoundria	244018	685,000
722	African Glade	245035	685,000
723	African Glen	247294	685,000
724	African Grove	244877	685,000
727	African Patriot	245795	685,000
728	African Pilgrim	245431	685,000
729	African Pilot	245725	685,000
1135	Agia Thalassini	442	270,000
369	Aimee Lykes	245548	685,000
605	Alamar	245810	520,000
1269	Alaska Bear	246004	560,000
939	Alaska Mail	247420	560,000
208	Alaskan	245965	470,000
1156	Albert E. Watts	240731	475,000
1061	Aldine	244561	285,000
1047	Alexander S. M	898	270,000
659	Alice Brown	249027	685,000
923	Almena	247291	470,000
352	Aloha State	243297	875,000
424	America Bear	251970	685,000
529	American Builder	247201	685,000
530	American Chief	246732	685,000
531	American Eagle	278327	8,075,000
533	American Flyer	247417	685,000
534	American Forester	248074	685,000
537	American Gunner	252677	685,000
539	American Hunter	252679	685,000
541	American Leader	249517	685,000
940	American Mail	247321	875,000
542	American Manufacturer	247643	685,000
543	American Marketer	245539	685,000
545	American Miller	243873	685,000
546	American Packer	243982	685,000
548	American Planter	254670	685,000
549	American Press	247590	685,000
550	American Producer	254616	685,000
553	American Retailer	253572	685,000
554	American Scientist	254653	685,000
671	American Starling	246427	270,000
163	American Sun	240147	430,000
557	American Supplier	253289	685,000
558	American Surveyor	252356	685,000
662	American Trader	247306	470,000
559	American Trapper	252678	685,000
561	American Veteran	247296	685,000
272	Ames Victory	247292	560,000
641	Amtank	247968	1,030,000
95	Andrew Jackson	247303	685,000
1099	Andros Fighter	539	270,000
1100	Andros Lady	1045	270,000
1101	Andros Laurel	533	270,000
19	Angelo Petri	243882	4,250,000
979	Anne-Marie	245176	470,000
877	Anne Quinn	243521	300,000
96	Antinous	245979	685,000
282	Arickaree	952	285,000
675	Arizona	247721	560,000
97	Arizpa	251507	685,000
139	Arlington	248386	320,000
216	Associated	237523	80,000
232	Atlantic Communicator	268196	6,200,000
233	Atlantic Endeavor	277623	7,250,000
234	Atlantic Engineer	261167	5,300,000
1004	Atlantic Enterprise	276911	7,150,000
1005	Atlantic Mariner	248203	470,000
1006	Atlantic Navigator	261423	5,350,000
1132	Atlantic Ranger	435	285,000
1133	Atlantic Refiner	436	285,000
1244	Atlantic Robin	937	270,000
238	Atlantic Seaman	260954	5,250,000
164	Atlantic Sun	244086	528,000
239	Atlantic Trader	248007	2,325,000
953	Atlantic Victory	248749	500,000
418	Attleboro Victory	247475	465,000
789	Audrey J. Luckenbach	248884	980,000
210	Avila	267181	2,525,000
259	Azalea City	243436	2,850,000
707	Badger State	245136	685,000
980	Barbara	248079	470,000
62	Barbara Frietchie	244708	$300,000
347	Barbara Jane	278103	8,000,000
371	Barbara Lykes	245964	685,000
283	Battle Rock	954	285,000
708	Bayou State	254012	685,000
949	Bay State	254130	685,000
72	Beatrice	252036	775,000
260	Beauregard	251508	2,850,000
709	Beaver State	245583	560,000
594	Bennington	242406	470,000
122	Bents Fort	248910	470,000
121	Berwindvale	247645	320,000
606	Bethcoaster	256886	140,000
419	Biddeford Victory	248433	465,000
261	Bienville	243438	2,850,000
710	Blue Grass State	253866	685,000
140	Boston	247161	320,000
1146	MV Bradeverett	590	295,000
123	Bradford Island	247640	470,000
1066	Brighton	4445–59	5,950,000
821	Brooklyn Heights	247872	500,000
353	Buckeye State	244577	875,000
642	Bulkcrude	245480	624,000
643	Bulkfuel	244986	624,000
644	Bulklube	244616	624,000
595	Bunker Hill	241580	470,000
226	Byron D. Benson	246173	470,000
645	Callabee	245560	470,000
609	Calmar	246161	520,000
284	Camp Namanu	955	285,000
426	Canada Bear	247385	560,000
941	Canada Mail	252476	875,000
837	Captain Nicholas Sitinas	248133	470,000
374	Charlotte Lykes	247157	500,000
1213	Chatham	252493	685,000
333	Chemical Transporter	244942	1,550,000
243	Chena	242704	325,000
597	Cherry Valley	242531	470,000
964	Chevron	250641	340,000
610	Chilore	253219	1,575,000
427	China Bear	245837	685,000
872	Chris II	244656	270,000
1134	Chryssi S. M	491	270,000
125	Cities Service Baltimore	271866	6,925,000
126	Cities Service Miami	272077	6,950,000
127	Cities Service Norfolk	272839	7,100,000
100	City of Alma	247592	685,000
955	Clarke's Wharf	247758	470,000
920	Coalinga Hills	246810	470,000
244	Coastal Monarch	248699	320,000
245	Coastal Nomad	248382	320,000
246	Coastal Rambler	248648	320,000
266	Coeur d'Alene Victory	247113	560,000
273	Coe Victory	247894	560,000
186	Colina	242775	470,000
676	Colorado	248786	560,000
632	Columbia	243852	470,000
141	Concord	247870	320,000
711	Constitution State	245985	560,000
712	Copper State	244137	875,000
713	Cotton State	248440	500,000
704	Cottonwood Creek	246864	285,000
668	Crown Trader	241602	470,000
583	Custis Woods	245009	470,000
137	Cynthia Olson	253441	195,000
212	David E. Day	248880	2,575,000
229	David McKelvy	246355	470,000
165	Delaware Sun	264853	5,700,000
319	Del Campo	241923	426,000
323	Del Monte	246628	411,000
102	De Soto	245398	685,000
377	Dolly Turman	249747	685,000
1143	MV Dolpheverett	1507	360,000
1142	MV Doneverett	1372	360,000
876	Dorothy Boylan	245895	300,000
166	Dynafuel	249771	340,000
700	Eagle Courier	277561	7,075,000
699	Eagle Transporter	277710	7,075,000
697	Eagle Traveler	278442	8,100,000
698	Eagle Voyager	278624	8,100,000
167	Eastern Sun	270025	6,500,000
187	Eclipse	267144	5,150,000
786	Edgar F. Luckenbach	248882	980,000
75	Edith	248564	320,000
240	E. H. Blum	240391	505,000
921	Elemir	247155	470,000
76	Elizabeth	245183	754,000
77	Emilia	245198	945,000
74	Emma	242902	300,000
705	Empire State	248212	685,000
830	Erna Elizabeth	280193	8,400,000
983	Esso Baltimore	282272	10,775,000
988	Esso Bermuda	259248	4,350,000
984	Esso Boston	283784	10,975,000
989	Esso Chester	264445	5,075,000
990	Esso Florence	266855	5,425,000
1007	Esso Gettysburg	273362	7,825,000
991	Esso Glouchester	265336	5,250,000
994	Esso Jamestown	275519	8,170,000
995	Esso Lexington	276270	8,325,000
996	Esso Lima	259142	4,325,000
992	Esso Miami	259357	4,300,000
997	Esso Newark	264231	5,025,000
998	Esso New York	259610	4,400,000
1014	Esso Scranton	245830	470,000
999	Esso Suez	257381	4,100,000
1009	Esso Washington	273896	7,950,000
1000	Esso Zurich	257115	3,950,000
78	Evelyn	247951	320,000
354	Evergreen State	257827	875,000
1158	E. W. Sinclair	241281	475,000
855	Exilona	252303	$700,000
858	Expeditor	251971	700,000
865	Express	252376	700,000
262	Fairland	242073	2,850,000
103	Fairport	249072	685,000
1246	Fanwood	252355	685,000
1288	Faralis	1390	270,000
285	Federal	962	285,000
1018	Ferore	1568	270,000
1159	Flagship Sinco	241327	465,000
611	Flomar	247261	520,000
218	Flying A—California	286216	2,375,000
221	Flying A—Delaware	267997	5,550,000
220	Flying A—New York	267198	5,475,000
219	Flying A—Washington	268783	2,425,000
812	Flying Clipper	252991	685,000
813	Flying Cloud	247000	685,000
814	Flying Eagle	251664	685,000
816	Flying Enterprise II	245374	685,000
825	Flying Gull	240462	706,000
826	Flying Hawk	240632	706,000
818	Flying Independent	245131	400,000
819	Flying Spray	246217	400,000
820	Flying Trader	248750	500,000
286	Fort Bridger	956	285,000
584	Fort Fetterman	244935	2,275,000
956	Fort Mims	248736	470,000
247	Fortuna	245880	300,000
498	Four Lakes	244971	2,350,000
79	Frances	245541	754,000
222	Frank Haskell	246307	470,000
380	Frank Lykes	245540	685,000
177	Fruitvale Hills	248716	470,000
359	F. S. Bell	244714	300,000
962	F. S. Bryant	250827	475,000
585	Gaines Mill	244464	2,250,000
248	Galena	248122	320,000
948	Garden State	248057	560,000
263	Gateway City	251506	2,850,000
382	Genevieve Lykes	252444	685,000
383	George Lykes	245132	400,000
138	George Olson	217860	195,000
1048	Georgia S. M	1446	270,000
384	Gibbes Lykes	245182	685,000
714	Golden State	246544	500,000
21	Gold Stream	276391	2,200,000
355	Gopher State	244979	875,000
884	Green Bay	244287	635,000
885	Green Cove	247268	685,000
1129	Green Dale	251748	685,000
950	Green Mountain State	247158	500,000
888	Green Point	248050	685,000
890	Green Wave	252351	685,000
1249	Guam Bear	252570	685,000
276	Gulf Banker	245169	685,000
790	Gulfbear	247309	2,100,000
791	Gulfbeaver	243657	2,100,000
792	Gulfcrest	279334	7,200,000
793	Gulfdeer	245727	2,225,000
277	Gulf Farmer	244598	685,000
794	Gulfjaguar	246972	2,200,000
795	Gulfking	275193	7,400,000
796	Gulfknight	277183	7,800,000
797	Gulflion	246990	2,250,000
808	Gulflube	254406	505,000
278	Gulf Merchant	252445	685,000
798	Gulfoil	283424	7,725,000
799	Gulfpanther	246543	2,200,000
810	Gulfpass	248080	470,000
800	Gulfpride	279769	7,275,000
801	Gulfprince	276034	7,575,000
802	Gulfqueen	275583	7,475,000
805	Gulfseal	247557	2,350,000
811	Gulfservice	264224	2,350,000
279	Gulf Shipper	252443	685,000
803	Gulfsolar	280223	7,350,000
806	Gulfspray	282848	7,625,000
807	Gulfstag	251066	2,250,000
804	Gulftiger	247767	2,275,000
280	Gulf Trader	244750	685,000
646	Hampton Roads	248748	1,030,000
824	Hans Isbrandsten	277703	7,850,000
104	Hastings	246617	685,000
300	Hawaiian Builder	247386	1,107,000
301	Hawaiian Craftsman	247826	956,000
302	Hawaiian Educator	247322	928,000
303	Hawaiian Farmer	245860	1,083,000
304	Hawaiian Merchant	248845	1,107,000
305	Hawaiian Packer	243929	1,103,000
306	Hawaiian Pilot	245016	685,000
307	Hawaiian Planter	248741	947,000
308	Hawaiian Rancher	246204	1,089,000
309	Hawaiian Refiner	245594	1,048,000
310	Hawaiian Retailer	252477	875,000
311	Hawaiian Tourist	248171	560,000
430	Hawaii Bear	247194	560,000
965	H. D. Collier	248737	470,000
954	Hedge Haven	247650	470,000
385	Helen Lykes	245245	685,000
636	Hess Fuel	242867	1,525,000
961	Hillyer Brown	266233	2,450,000
80	Hilton	245110	300,000
706	Hoosier State	247762	980,000
787	Horace Luckenbach	245644	875,000
386	Howell Lykes	239905	875,000
105	Hurricane	246798	685,000
106	Iberville	248489	685,000
679	Idaho	252271	875,000
968	Idaho Standard	245461	470,000
249	Iliamna	246848	325,000
680	Illinois	247454	560,000

Binder No.	Name of vessel	Official No.	Stated valuation
432	India Bear	252568	$685,000
943	India Mail	251767	875,000
81	Ines	249290	708,000
875	Issac Mann	242477	300,000
1019	James Monroe	522	270,000
878	Janet Quinn	242949	300,000
945	Java Mail	252478	875,000
82	Jean	244612	923,000
107	Jean La Fitte	243814	685,000
1285	J. E. Dyer	274440	7,375,000
274	Jefferson City Victory	247345	560,000
970	J. H. MacGaregill	248896	470,000
973	J. H. Tuttle	242955	520,000
108	John B. Waterman	249234	685,000
63	Josefina	247042	300,000
1015	Joseph V	247316	560,000
647	Joshua Tree	247055	470,000
586	Juiesburg	243523	2,400,000
83	Katiryn	252479	777,000
612	Kenmar	246062	520,000
598	Keystoner	266730	2,525,000
356	Keystone State	247763	980,000
599	Keytanker	265644	2,450,000
600	Keytrader	267905	2,575,000
109	Kyska	248654	685,000
178	La Brea Hills	247455	470,000
288	Lake George	957	285,000
1058	Lake Palourde	1379	7,775,000
110	La Salle	251504	685,000
788	Lena Luckenbach	244049	875,000
1141	MV Leneverett	588	295,000
391	Letitia Lykes	246897	685,000
142	Lexington	248276	320,000
603	Lisa B	247279	270,000
267	Longview Victory	247077	560,000
613	Losmar	245111	520,000
658	Lucile Bloomfield	249291	685,000
1060	Lyric	244443	285,000
111	Madaket	246992	685,000
1136	Madison Bell	481	270,000
84	Mae	248165	320,000
716	Magnolia State	247144	500,000
112	Maiden Creek	248998	685,000
143	Maiden	247987	320,000
394	Mallory Lykes	244881	685,000
275	Mankato Victory	248739	560,000
395	Margaret Lykes	245853	685,000
660	Margarett Brown	249174	685,000
86	Marine Courier	248019	295,000
20	Marine Electric	245675	470,000
23	Marine Leader	247868	320,000
87	Marine Pioneer	245060	315,000
88	Marine Progress	245086	305,000
89	Marine Ranger	246574	300,000
90	Marine Shipper	247596	320,000
91	Marine Trader	247274	320,000
92	Marine Transport	247991	357,000
93	Marine Voyager	247680	500,000
168	Maryland Sun	246101	470,000
664	Maryland Trader	247178	2,275,000
615	Marymar	246331	520,000
397	Mason Lykes	252446	685,000
616	Massmar	246328	520,000
922	Maxton	248800	470,000
01	Mayflower	284049	10,900,000
398	Mayo Lykes	247405	500,000
289	McKittrick Hills	959	285,000
969	M. E. Lombardi	240228	260,000
1289	Melida	1391	270,000
952	Mermaid	246868	470,000
1286	Meteor	247331	395,000
681	Michigan	240590	875,000
587	Mill Spring	244468	2,325,000
1271	M. L. Gosney	266338	4,975,000
188	Mobil Aero	278471	7,600,000
189	Mobil Fuel	274588	6,475,000
190	Mobilgas	271449	5,825,000
191	Mobil Lube	275651	6,675,000
192	Mobiloil	279064	7,675,000
193	Mobil Power	274966	6,550,000
420	Moline Victory	247346	500,000
113	Monarch of the Seas	244794	715,000
601	Monmouth	242426	470,000
682	Montana	247478	560,000
290	Montebello Hills	960	285,000
1265	Monticello Victory	286819	11,350,000
32	Mormacdove	245337	685,000
34	Mormacfir	248650	560,000
35	Mormacfuel	243450	470,000
36	Mormacguide	252347	875,000
38	Mormachawk	248033	685,000
45	Mormacowl	245338	685,000
50	Mormacrio	248745	875,000
53	Mormacsun	252346	875,000
56	Mormacteal	245040	685,000
60	Mormacwren	245914	685,000
114	Morning Light	245623	715,000
832	Mount Evans	245087	300,000
838	Mount Shasta	246632	300,000
281	Mount Vernon Victory	284178	10,875,000
835	Mount Whitney	243226	300,000
250	Nadina	245864	316,000
588	Naeco	244063	1,625,000
648	Nashbulk	247307	1,030,000
927	Natalie	245322	685,000
251	Nenana	247015	300,000
661	Neva West	249283	685,000
421	Newberry Victory	248460	500,000
169	New Jersey Sun	265748	5,850,000
180	New Market	247276	470,000
1300	New Orleans	242557	495,000
144	Newton	247414	$320,000
683	New York	248742	875,000
1144	MV Noreverett	589	295,000
268	Northwestern Victory	247492	560,000
936	Oakey L. Alexander	247479	450,000
929	Ocean Dinny	244215	685,000
931	Ocean Evelyn	249217	980,000
946	Ocean Mail	241750	651,000
869	Ocean Victory	248013	500,000
684	Ohio	246388	875,000
170	Ohio Sun	244089	470,000
265	Olympic Pioneer	245529	300,000
947	Oregon Mail	248844	875,000
971	Oregon Standard	246773	470,000
02	Orion Clipper	268288	6,000,000
03	Orion Comet	266365	5,750,000
04	Orion Planet	268078	5,975,000
05	Orion Star	266619	5,775,000
1093	Oswego Leader	1258	285,000
933	Overseas Eva	244878	685,000
934	Overseas Joyce	243008	685,000
935	Overseas Rebecca	245532	685,000
785	Overseas Rose	245923	875,000
11	Pacificus	245519	300,000
1062	Palace	244492	285,000
717	Palmetto State	247823	500,000
1217	Panoceanic Faith	245134	685,000
149	Pandora	243923	270,000
1272	P. C. Spencer	264903	4,800,000
718	Pelican State	245354	560,000
339	Penn Challenger	280318	8,450,000
617	Pennmar	245945	520,000
344	Penn Shipper	244682	300,000
171	Pennsylvania Sun	280202	11,125,000
345	Penn Trader	246934	270,000
341	Penn Vanguard	242780	395,000
183	Penobscot	247706	320,000
589	Perote	243661	285,000
562	Pioneer Cove	249748	685,000
565	Pioneer Isle	256787	754,000
575	Pioneer Reef	244020	761,000
577	Pioneer Surf	254842	765,000
578	Pioneer Tide	249030	685,000
184	Plymouth	247867	320,000
938	Pocahontas Fuel	248655	640,000
294	Point Arena	245225	470,000
16	Ponca City	244335	470,000
1290	Poros	1330	270,000
618	Portmar	246063	520,000
701	Prairie Grove	246660	470,000
1130	Praxitcles	1036	270,000
504	President Fillmore	245754	560,000
507	President Harding	248565	560,000
228	Providence Getty	254689	340,000
624	P & T Adventurer	247220	560,000
625	P & T Builder	247121	560,000
626	P & T Explorer	252524	875,000
627	P & T Forester	242941	875,000
628	P & T Leader	245244	560,000
629	P & T Navigator	252304	875,000
630	P & T Seafarer	243969	875,000
631	P & T Voyager	248787	560,000
1273	P. W. Thirtle	270179	5,600,000
593	Pueblo	243441	470,000
868	Rachel V	248785	560,000
1301	Rainbow	247026	395,000
264	Raphael Semmes	242074	2,850,000
972	R. C. Stoner	243128	520,000
145	Reading	248271	320,000
1145	MV Rebeverett	591	295,000
822	Remsen Heights	247865	500,000
291	Republic	963	285,000
966	R. G. Follis	251140	475,000
1109	Ridgefield	1021	270,000
241	Robert C. Tuttle	239754	505,000
223	Robert E. Hopkins	247757	470,000
155	Robin Goodfellow	247254	875,000
156	Robin Gray	252626	875,000
157	Robin Hood	247255	875,000
158	Robin Kirk	254272	875,000
160	Robin Mowbray	255316	875,000
162	Robin Trent	254641	875,000
957	Rock Landing	248802	470,000
130	Royal Oak	247574	470,000
879	Russel L	247511	300,000
1140	MV Rutheverett	1373	360,000
172	Sabine Sun	241558	455,000
194	Sachem	243525	480,000
195	Sacona	244641	480,000
196	Saconnet	245543	480,000
1276	Samoset	243291	290,000
1160	Samuel L. Fuller	241242	508,000
225	Samuel Q. Brown	246982	470,000
422	San Angelo Victory	248842	500,000
181	San Jacinto	248894	1,400,000
1056	Sansinena	1314	7,550,000
891	Santa Adela	242243	685,000
64	Santa Emilia	246833	270,000
900	Santa Flavia	242762	685,000
903	Santa Juana	242111	685,000
906	Santa Malta	245459	685,000
211	Santa Maria	263781	2,300,000
909	Santa Mariana	246038	685,000
619	Santore	254624	1,575,000
348	Saroula	277935	7,950,000
198	Satucket	245227	480,000
199	Saucon	244796	480,000
185	Seaconnet	247412	320,000
10	Seafair	245215	300,000
26	Sealady	244457	395,000
620	Seamar	246507	$520,000
67	Seatrain New Jersey	239688	675,000
68	Seatrain New York	231905	420,000
69	Seatrain Savannah	231916	420,000
70	Seatrain Texas	239549	675,000
200	Shabonee	244028	480,000
1157	Sheldon Clark	241494	465,000
1163	Short Hills	252492	685,000
336	Sierra	247831	893,000
823	Sir John Franklin	244734	400,000
1266	Sister Katingo	277936	7,975,000
201	Siwanoy	244362	480,000
202	Socony Vacuum	268801	5,550,000
337	Sonoma	252413	996,000
357	Sooner State	247139	685,000
582	Spirit of Liberty	243263	470,000
1016	Steel Admiral	252403	875,000
439	Steel Advocate	245731	875,000
440	Steel Age	244161	875,000
441	Steel Apprentice	252498	875,000
442	Steel Architect	247168	875,000
443	Steel Artisan	247833	875,000
444	Steel Chemist	252037	875,000
445	Steel Designer	247832	875,000
446	Steel Director	244978	875,000
447	Steel Executive	248843	875,000
448	Steel Fabricator	251781	875,000
449	Steel Flyer	244831	875,000
450	Steel King	252499	875,000
451	Steel Maker	247221	875,000
452	Steel Navigator	248846	875,000
453	Steel Recorder	251847	875,000
454	Steel Rover	252500	875,000
455	Steel Scientist	245730	875,000
456	Steel Seafarer	248738	875,000
457	Steel Surveyor	244968	875,000
458	Steel Traveler	247198	875,000
459	Steel Vendor	246464	875,000
460	Steel Voyager	252501	875,000
461	Steel Worker	247834	875,000
173	Sunoil	246908	470,000
252	Susitna	248389	320,000
85	Suzanne	253226	763,000
404	Sylvia Lykes	247841	685,000
203	Syosset	247458	480,000
253	Taikeetna	245733	300,000
204	Tamaha	243109	410,000
702	Tampico	246344	470,000
254	Tanana	247310	320,000
1114	Tascalusa	3254-FP	308,000
255	Tatalina	247995	320,000
1277	Tatarrax	241823	310,000
462	Texaco Alabama	246968	470,000
463	Texaco California	266910	3,300,000
464	Texaco Colorado	241758	425,000
465	Texaco Connecticut	266501	3,150,000
1073	Texaco Cristobal	2905-53	225,000
468	Texaco Delaware	243973	430,000
466	Texaco Florida	271820	3,625,000
467	Texaco Georgia	243281	430,000
470	Texaco Indiana	244244	430,000
473	Texaco Louisiana	245053	470,000
1078	Texaco Maine	4500-59	6,050,000
474	Texaco Maryland	242942	470,000
475	Texaco Minnesota	243202	470,000
476	Texaco Mississippi	245082	470,000
477	Texaco Montana	242015	425,000
479	Texaco Nevada	245175	2,550,000
480	Texaco New Jersey	245831	2,475,000
481	Texaco New York	265981	3,225,000
483	Texaco North Dakota	265006	3,175,000
484	Texaco Oklahoma	275882	7,625,000
1084	Texaco Southhampton	1165	265,000
487	Texaco Virginia	243223	470,000
1270	Texaco Wisconsin	277805	7,925,000
209	Texan	249352	1,925,000
174	Texas Sun	253897	11,700,000
665	Texas Trader	246753	470,000
497	The Cabins	246143	2,475,000
1137	Theopan	582	270,000
925	Thetis	279627	9,175,000
182	Tillamook	245104	470,000
834	Titan	281177	11,250,000
256	Tonsina	252547	308,000
115	Topa Topa	247906	685,000
880	Transamerican	245780	300,000
881	Transborinquen	246540	400,000
882	Transcaribbean	247986	500,000
231	Transeastern	279438	10,100,000
633	Transnorthern	248011	470,000
1216	Transporter	973	395,000
883	Transunion	247060	300,000
1068	Trinidad	4336-58	5,750,000
686	Utah	248206	560,000
338	Ventura	252633	1,092,000
978	Vicksburg	244703	470,000
703	Village	246124	270,000
1204	Villa Marion	554	270,000
409	Virginia Lykes	245135	685,000
666	Virginia Trader	244789	470,000
928	Vivian	247467	500,000
719	Volunteer State	247792	500,000
116	Wacosta	245189	685,000
117	Warrior	243815	685,000
974	Washington Standard	246203	470,000
667	Washington Trader	245566	470,000
242	W. C. Yeager	240914	505,000
175	Western Sun	268798	6,300,000
960	W. H. Berg	236952	80,000

Binder No.	Name of vessel	Official No.	Stated valuation
1275	Wilderness	1585	$270,000
118	Wild Ranger	249518	715,000
146	Winchester	247708	320,000
1059	Winnebago	213747	285,000
1224	Wm. F. Humphrey	246557	470,000
358	Wolverine State	248740	980,000
687	Wyoming	248243	500,000
119	Yaka	246335	685,000
622	Yorkmar	246067	520,000
120	Young America	243034	685,000

(b) *Vessels of less than 1,500 gross tons—As of January 1, 1962.* (1) Whereas, the Maritime Administrator has determined for certain vessels of less than 1,500 gross tons the values which constitute just compensation for the vessels to which they apply, computed in accordance with section 902(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1242); and section 1209(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1289), Public Law 958, 84th Congress (70 Stat. 984); and pursuant thereto has determined the values of vessels covered by interim binders for war risk hull insurance, Form MA–184 prescribed by Part 308 of this chapter (General Order 75, 2d Rev. 26 F.R. 4541, May 26, 1961).

(2) Therefore, it is ordered that the interim binders listed below shall be deemed to have been amended as of January 1, 1962, by inserting in the space provided therefor or in substitution for any value now appearing in such space the stated valuation of the vessels set forth below for the binders and vessels as designated. Nevertheless, the Assured shall have the right within sixty days after date of publication of this order or within sixty days after the attachment of the insurance under said binder, whichever is later, to reject such valuation and proceed as authorized by section 1209(a)(2) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1289).

Binder No.	Name of vessel	Official No.	Stated valuation
1186	Barge 114		$13,500
1187	Barge 116		16,500
1188	Barge 118		13,500
1196	Barge 128		13,500
1197	Barge 129		13,500
1198	Barge 133		35,000
1199	Barge 134		14,500
1153	Britton	119	25,500
673	Curlew	243213	71,000
1138	Cyrus Field	147699	246,000
1165	Dammam 7		19,500
1166	Dammam 8	255059	20,500
1167	Dammam 9		61,000
1168	Dammam 10		61,000
1169	Dammam 11		61,000
1170	Dammam 12		78,000
1171	Dammam 13		67,000
1172	Dammam 14		78,000
674	Golden Eagle	241402	49,000
1150	Habib	112	21,500
1151	Horne	115	22,500
672	Kingfisher	252862	100,000
1176	Qatif 7		91,000
1177	Qatif 8		90,000
1148	Sandy	114	22,500
1152	Swigart	118	23,500

NOTE: The record-keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Dated: June 25, 1962.

No. 133——2

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 62–6628; Filed, July 10, 1962; 8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Commerce

Effective upon publication in the FEDERAL REGISTER, subparagraphs (38) and (39) are added to paragraph (a) of § 6.312 as set out below.

§ 6.312 Department of Commerce.

(a) *Office of the Secretary.* * * *

(38) Director, Office of Emergency Transportation.

(39) Deputy Director, Office of Emergency Transportation.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended: 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 62–6756; Filed, July 10, 1962; 8:54 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[1962 C.C.C. Grain Price Support Bulletin 1, Supp. 1, Soybeans]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1962-Crop Soybean Loan and Purchase Agreement Program

A price support program has been announced for the 1962-crop of soybeans. The 1962 C.C.C. Grain Price Support Bulletin 1 (27 F.R. 4411) issued by the Commodity Credit Corporation and containing the specific regulations of a general nature with respect to price support operations for certain grains and other commodities produced in 1962 is supplemented as follows:

Sec.
421.1601 Purpose.
421.1602 Availability of price support.
421.1603 Cooperative marketing associations.
421.1604 Eligibility requirements.
421.1605 Eligible soybeans.
421.1606 Determination of quality.
421.1607 Determination of quantity.
421.1608 Warehouse receipts.
421.1609 Warehouse charges.
421.1610 Maturity of loans.
421.1611 Inspection of soybeans under purchase agreements.
421.1612 Settlement.
421.1613 Support rates.

AUTHORITY: §§ 421.1601 to 421.1613 issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 203, 301, 401, 63 Stat. 1054; 7 U.S.C. 1446(d), 1447, 1421.

§ 421.1601 Purpose.

This subpart states additional specific requirements which, together with the applicable provisions of general regulations contained in the 1962 C.C.C. Grain Price Support Bulletin 1 (27 F.R. 4411) (§§ 421.1101 to 421.1132) and any amendments thereto, apply to loans and purchase agreements under the 1962-Crop Soybean Price Support Program.

§ 421.1602 Availability of price support.

(a) *Area.* Price support will be available through farm-storage and warehouse-storage loans and purchase agreements on eligible soybeans grown in the United States. Farm-storage loans will not be available in areas where the State committee determines that soybeans cannot be safely stored on the farm.

(b) *Where to apply.* Application for price support should be made at the office of the county committee which keeps the farm program records for the farm. An eligible cooperative marketing association of producers must make application at the county committee office for the county in which the principal office of the association is located unless the State committee designates some other county ASCS office. An application may be submitted only after the association has been determined to be an eligible association under § 421.1603.

(c) *When to apply.* Loans and purchase agreements will be available from harvest through January 31, 1963, and applicable documents must be signed by the producer and delivered to the office of the county committee not later than such final date.

§ 421.1603 Cooperative marketing associations.

A cooperative marketing association which satisfies the requirements of this section shall be deemed an eligible producer and shall be eligible for price support on eligible soybeans through warehouse-storage loans and purchase agreements: *Provided,* That warehouse-storage loans may be made to an association which tenders to CCC warehouse receipts issued by it on its own soybeans only in those States where the issuance and pledge of such warehouse receipts are valid under State law. Applications for determination of eligibility shall be submitted to the State committee of the State where the association's principal office is located no later than December 1, 1962.

(a) *Producer-owned and controlled.* The association must be a producer-owned cooperative marketing association of producers under the control of its producer-members. The association shall submit with its application a brief

statement of its method of operations showing the manner in which producer-members have control of the association.

(b) *Articles or by-law provisions.* The articles of incorporation or association, or by-laws of the association, must provide for: (1) An annual membership meeting at a location which will provide reasonable opportunity for all members to attend and participate, (2) a notice of all district, area, or annual meetings to be given to all members affected by such meeting, (3) membership in the association to be open to all farmer producers of soybeans except that producers may be denied membership on a reasonable basis, including among other reasons, that the membership of the farmer producer would be inimical to the effective operation of the association, (4) voting on election of officers and directors by secret ballot, (5) a single vote for each member, regardless of the number of shares of stock owned or controlled by him, or voting rights for each member based on his production of soybeans marketed by the association during the current year or a single preceding year, but whichever of the above described methods of voting is practiced, it shall be uniform for all members of the association, and (6) each member receiving a summary financial statement prepared by the independent accountant who made the annual audit of the association.

(c) *Financial condition.* The association must submit with its application evidence establishing to the satisfaction of the Executive Vice President, CCC, that its operation is on a financially sound basis. The association must have been in existence and conducting legitimate marketing operations for its producer-members for a period of not less than two years prior to the date of its application or submit evidence that it is so organized and staffed so as to provide effective marketing operations for its producer-members.

(d) *Conflict of interest.* The association must submit with its application a detailed report concerning all transactions for the year preceding the date of the application: (i) With any director, officer, or employee of the association and any of his close relatives, (ii) with any partnership in which any such person and his close relatives are entitled to receive more than 5 percent of the gross profits, (iii) with any corporation in which any such person and his close relatives own more than 5 percent of the stock, (iv) with any business entity from which any such person or any of his close relatives received fees for transacting business with or on behalf of the association, or (v) with any business entity in which an agent, director, officer or employee of the association was an agent, director, officer or employee of such business entity. A close relative shall be deemed to refer to a husband or a wife or a person related as child, parent, brother, or sister by blood, adoption, or marriage and shall include in-laws within such categories of relationship. The report shall include, but is not limited to, transactions involving purchases, sales, processing, handling, marketing, transportation, warehousing, insurance and related activities, but not transactions which are no different than those entered into by the association with its general membership. A statement must also be submitted indicating whether any transactions of the kind described in this paragraph are contemplated in the period between the date of the application and September 15, 1963, and if such transactions are contemplated, a detailed statement of the reasons therefor. The association shall not be eligible for price support unless it establishes to the satisfaction of the Executive Vice President, CCC, that any such transactions in the year preceding the date of application or in the period beginning with the date of application and ending on September 15, 1963, have not and will not operate to the detriment of members of the association.

(e) *Uniform marketing agreement.* All eligible soybeans delivered to the association by producer-members must be marketed through the association pursuant to a uniform marketing agreement between the association and each of its producer-members who deliver such eligible soybeans.

(f) *Non-member business.* Not less than 80 percent of the soybeans marketed by the association must be produced by its producer-members.

(g) *Vested authority.* The association must have authority to obtain a loan on the security of the soybeans and give a lien thereon as well as authority to sell such soybeans.

(h) *Records maintained.* The association must maintain a record of the quantity of soybeans eligible for price support acquired by or delivered to the association from each source, and such record must show the disposition of the soybeans from each source. Similar records must be maintained separately for soybeans not eligible for price support.

(i) *Physical Inventory.* The association must keep in inventory at all times a quantity of soybeans equivalent in quality and quantity to the quality and quantity of the soybeans shown on its outstanding warehouse receipts. Price support may be obtained by the association only on the quantity of eligible soybeans which remains undisposed of in its inventory at the time of application for price support.

(j) *Distribution of proceeds.* Proceeds from the disposition of all soybeans eligible for price support disposed of by marketing or by delivery to CCC shall be distributed only to the eligible producer-members who delivered such eligible soybeans to the association and only on the basis which results in the proceeds being distributed proportionately to such producer-members according to the quantity and quality of such eligible soybeans delivered by each eligible producer-member. This provision shall not be construed to prohibit the association from establishing separate pools and distributing the proceeds proportionately to the producer-members whose soybeans are included in each pool.

(k) *Inspection by CCC.* Soybeans held by the association must be available for inspection by CCC at all reasonable times as long as the association has soybeans under price support. The books and records of the association must be available to CCC for inspection at all reasonable times through May 1, 1968.

(l) *Member associations.* Notwithstanding the requirements of paragraph (a) of this section, a cooperative marketing association which includes in its membership other cooperative marketing associations composed of producer-members, shall be eligible for price support if its member associations meet the requirements for price support under this section. The requirements of paragraph (g) of this section shall be deemed to be satisfied if such member associations have the right to deliver soybeans of their producer-members to the association applying for price support and to authorize such association to sell the soybeans and to obtain a loan on the security of the soybeans and to give a lien thereon. The association applying for price support shall: (1) In its charter, by-laws, marketing contracts or by other legal means require that its member association meet the requirements for price support under this section, (2) submit the material and certifications required by paragraphs (c) and (d) of this section with respect to each member association, (3) certify to CCC that its member associations are in fact eligible for price support under the requirements of this section, and (4) except for the requirement that it consist of producers, otherwise qualify for price support under this section.

(m) *Eligibility determinations.* Determinations with respect to the eligibility of cooperative marketing associations of producers under this section for either warehouse-storage loans or purchase agreements or both, shall be made by the Executive Vice President, CCC.

(n) *Investigations.* The Commodity Credit Corporation shall have the right at any time after an application is received to examine all records and make such investigations deemed necessary to determine whether the cooperative is operating in accordance with its articles of incorporation, by-laws, agreements with producers or member associations and with the representations made in its application.

§ 421.1604 Eligibility requirements.

(a) *Beneficial interest.* To be eligible for price support the beneficial interest in the soybeans must be in the eligible producer tendering the soybeans for loan or for delivery under a purchase agreement and must always have been in him or in him and a former producer whom he succeeded before it was harvested. In the case of cooperative marketing associations, the beneficial interest in the soybeans must have been in the producer-members who delivered the soybeans to the association or to member associations meeting the requirements of § 421.1603 and must always have been in them or in them and former producers whom they succeeded before the soybeans were harvested. Soybeans acquired by a cooperative marketing association shall not be eligible for price support if the producer-members who delivered the soybeans to the association or to a member association do not re-

tain the right to share proportionately in the proceeds from the marketing of the soybeans as provided in § 421.1603(j). Soybeans acquired other than from producer-members and member associations are not eligible for price support. Any producer or association in doubt as to whether his interest in the soybeans complies with the requirements of this paragraph (a) should make available to the county committee prior to filing an application, all pertinent information which will permit a determination to be made by CCC.

(b) *Succession of interest.* To meet the requirements of succession to a former producer, the rights, responsibilities and interest of the former producer with respect to the farming unit on which the soybeans were produced shall have been substantially assumed by the person claiming succession. Mere purchase of the crop prior to harvest without acquisition of any additional interest in the farming unit, shall not constitute succession. The county committee shall determine whether the requirements with respect to succession have been met.

§ 421.1605 Eligible soybeans.

The soybeans must meet all of the applicable requirements of this section, in addition to other applicable requirements of the program, in order to be eligible for a loan, for delivery under a loan, and for purchase under a purchase agreement.

(a) *Production.* The soybeans must have been produced in the United States in 1962 by an eligible producer on a farm on which the total acreage of conserving and idle land in 1962 is not less than an acreage equivalent to the 1959–60 average acreage of conserving and idle land, except that the required acreage of conserving and idle land may be adjusted by the county committee for abnormal factors adversely affecting production in 1959–60, and in counties designated by the ASC State committees, further adjustments in the required acreage may be made by the county committee for abnormal factors adversely affecting production in 1962. For the purpose of this special requirement, "conserving land" is farm land devoted to generally accepted conservation uses as determined by the county committee, and "idle land" is all other farm land not devoted to crop production or to conservation uses. In making determinations under this paragraph all land on the farm is to be considered rather than crop land only. Any producer in doubt as to whether he has met requirements for conserving and idle land on the farm shall make available to the county committee all pertinent information, prior to filing an application, which will permit a determination to be made by CCC as to his eligibility for price support on soybeans produced on the farm.

(b) *Certification.* Each producer shall sign one of the following certifications, as applicable, for the 1962-crop soybeans produced on each farm with respect to which he applies for price support: (1) The undersigned producer certifies that the total acreage of conserving and idle land in 1962 on the farm identified above is not less than the 1959–60 average acreage of conserving and idle land on such farm. (2) The undersigned producer certifies that the total acreage of conserving and idle land in 1962 on the farm identified above is not less than an acreage equivalent to the 1959–60 average acreage of conserving and idle land on such farm, as adjusted by the county committee for abnormal factors adversely affecting production in 1959–60, and in counties designated by the State committee, as adjusted by the county committee for abnormal factors adversely affecting production in 1962 on such farm.

(c) *Form CCC–127.* In the case of a cooperative marketing association applying for soybean price support under this paragraph, the association shall submit in behalf of each producer who produced the soybeans tendered by the association for price support a properly executed Form CCC–127 containing the certification required by paragraph (b) of this section and such additional information as required by such form. Where such producer or the association is in doubt as to whether such producer has met the requirements of paragraph (a) of this section, prior to signing the certification, the producer shall supply the county committee of the county in which his farm is located with necessary information for the county committee to determine if the producer has met such requirements. If the association obtains price support on soybeans produced by a producer who does not meet the requirements regarding conserving and idle land on the farm as provided in paragraph (a) of this section, the association shall be liable to CCC for any loss incurred by CCC on such soybeans. Such loss shall be deemed to be the amount received by the association from CCC on such soybeans plus charges and interest, less the market price of such soybeans on the loan maturity date, as determined by CCC.

(d) *Grade requirements.* Soybeans at the time they are placed under loan and soybeans under purchase agreement which are in approved warehouse storage prior to notification by the producer of his intention to sell to CCC, must meet the requirements set forth in this paragraph. The soybeans must be soybeans of any class, grading No. 4 or better. Soybeans grading "Garlicky" or "Weevily", or containing in excess of 14 percent moisture shall not be eligible, except that soybeans represented by warehouse receipts which indicate that the soybeans are ineligible solely because of containing in excess of 14 percent moisture will be eligible if the warehouseman certifies on the supplemental certification or on a statement attached to the warehouse receipt that soybeans of 14 percent moisture or less of an eligible grade and quality will be delivered. The certification shall be substantially as follows:

CERTIFICATION

On soybeans containing in excess of 14 percent moisture delivery will be made of soybeans which contain not in excess of 14 percent moisture, which are otherwise of the same grade and quality or better as the soybeans described on warehouse receipt No. ------, and which are the actual quantity obtained after drying the soybeans described in such receipt to not in excess of 14 percent moisture. No lien for processing will be claimed by the warehouseman from the Commodity Credit Corporation or any subsequent holder of the warehouse receipt.

(e) *Poisonous substances.* The soybeans must not contain mercurial compounds or other substances poisonous to man or animals.

(f) *Waiting period.* If offered as security for a farm-storage loan, the soybeans must have been in store for at least 30 days prior to inspecting, measuring, sampling and sealing, unless otherwise approved by the State committee.

(g) *Purchase agreements—predelivery inspection.* Except as otherwise provided in § 421.1611(a), soybeans under purchase agreement stored in other than approved warehouse storage shall not be eligible for sale to CCC if they do not meet the requirements of paragraphs (d) and (e) of this section on the basis of a predelivery inspection performed by a representative of the county committee, unless the producer complies with the conditions specified in § 421.1611(a) and the soybeans on the basis of the inspection made at the time of delivery meet the requirements of paragraphs (d) and (e) of this section.

(h) *Deliveries under farm-storage loans.* Only soybeans covered by the loan documents are eligible for delivery under farm-storage loans.

§ 421.1606 Determination of quality.

The class, grade, grading factors, percentage of foreign material and all other quality factors shall be determined in accordance with the methods set forth in the Official Grain Standards of the United States for Soybeans, whether or not such determinations are made on the basis of an official inspection.

§ 421.1607 Determination of quantity.

(a) *In warehouse.* The quantity of soybeans on which a warehouse-storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse under a farm-storage loan or purchase agreement shall be the net weight specified on the warehouse receipt or on the supplemental certificate if applicable.

(b) *On farm.* The quantity of soybeans placed under farm-storage loan may be determined either by weight or by measurement. The quantity delivered under a farm-storage loan or a purchase agreement shall be determined by weight. When the quantity is determined by weight, a bushel shall be 60 pounds of soybeans. In determining the quantity of sacked soybeans by weight, a deduction of ¾ of a pond for each sack shall be made.

(c) *Adjustment for test weight.* When the quantity is determined by measurement, a bushel shall be 1.25 cubic feet of soybeans testing 60 pounds per bushel. The quantity determined for soybeans of a different test weight shall be adjusted by the applicable percentage in the following table:

For soybeans testing:	Percent
60 pounds or over	100
59 pounds or over, but less than 60	98
58 pounds or over, but less than 59	97
57 pounds or over, but less than 58	95
56 pounds or over, but less than 57	93
55 pounds or over, but less than 56	92
54 pounds or over, but less than 55	90
53 pounds or over, but less than 54	88
52 pounds or over, but less than 53	87
51 pounds or over, but less than 52	85
50 pounds or over, but less than 51	83
49 pounds or over, but less than 50	82

(d) *Safety margin.* A safety factor as established by the State committee shall be deducted from the net quantity as determined by measurement when soybeans are offered for a farm-storage loan.

§ 421.1608 Warehouse receipts.

Warehouse receipts representing soybeans in approved warehouse storage, to be placed under a warehouse-storage loan, to be delivered in satisfaction of a a farm-storage loan or, to be acquired under a purchase agreement, must meet the requirements of this section.

(a) *Manner of issuance and endorsement.* Warehouse receipts presented for warehouse-storage loans must be issued in the name of the producer and for deliveries under farm-storage loans or purchase agreements, in the name of the producer or CCC, and must be properly endorsed in blank when issued in the name of the producer so as to vest title in the holder. Receipts must be issued by a warehouse for which a Uniform Grain Storage Agreement is in effect and which is approved by CCC for price support purposes or must be receipts issued on approved warehouses operated by Eastern common carriers under tariffs approved by the Interstate Commerce Commission. The term "Eastern common carriers" as used in this subpart includes the Port of New York Authority.

(b) *Entries for weight and grade.* Each warehouse receipt or the warehouseman's supplemental certificate (in duplicate), properly identified with the warehouse receipt must show all of the following: (1) Gross weight and bushels, (2) class, (3) grade, (4) test weight, (5) moisture, (6) percentage of foreign material, and (7) any other grading factor(s) when such factor(s), and not test weight or moisture, determine the grade. In addition, for soybeans grading No. 3 or No. 4, the percentage of splits, total damage and heat damage must also be shown. The grading factors on the warehouse receipt must agree with the inbound inspection certificate for the truck, car or barge, if such certificate is issued. If the warehouseman has furnished a statement as provided in § 421.1605(d), the supplemental certificate must show the numerical grade, grading factors, and the quantity of the soybeans to be delivered. Where the grade, grading factors and the quantity of the soybeans shown on the supplemental certificate do not agree with the warehouse receipt, the grade, grading factors and quantity shown on the supplemental certificate shall take precedence. A separate warehouse receipt must be submitted for each grade and class of soybeans.

(c) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 421.1609.

(d) *Where warehouseman is also owner.* If the receipt is issued for soybeans of which the warehouseman is the owner either solely, jointly or in common with others, the fact of such ownership shall be stated on the receipt. Such receipts shall also be registered or recorded with appropriate State or local officials when required by State law. In States where the pledge of warehouse receipts by a warehouseman on his own soybeans is not valid under State law and the warehouseman elects to deliver soybeans to CCC under a purchase agreement for which he is eligible under this program, the warehouse receipt shall be issued in the name of CCC.

(e) *Insurance.* Each warehouse receipt or accompanying supplemental certificate representing soybeans stored in an approved warehouse operating under the Uniform Grain Storage Agreement shall indicate that the soybeans are insured, in accordance with such agreement. Each warehouse receipt or accompanying supplemental certificate issued on warehouses operated by Eastern common carriers and representing soybeans to be placed under loan shall indicate that it is insured at the full market value against loss or damage by fire, lightning, inherent explosion, windstorm, cyclone, and tornado. The cost of such insurance shall not be for the account of CCC.

§ 421.1609 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the soybeans represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the soybeans are deposited in the warehouse for storage. Warehouse receipts and the soybeans represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the soybeans when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—U.G.S.A. warehouses.* The table shown below provides the deductions for storage charges to be made from the amount of the loan or purchase price in the case of soybeans stored in approved warehouses operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the date to be used for computing the storage deduction on soybeans stored in warehouses operating under the Uniform Grain Storage Agreement, shall be the date of deposit or the date storage charges start, whichever is later; if neither the date of deposit nor the date storage charges start is shown, the date of the warehouse receipt shall be used.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES BY MATURITY DATE

May 31, 1963 [1]	*Deduction (cents per bushel)*
Prior to July 26, 1962	12
July 26–Aug. 21, 1962	11
Aug. 22–Sept. 17, 1962	10
Sept. 18–Oct. 14, 1962	9
Oct. 15–Nov. 10, 1962	8
Nov. 11–Dec. 7, 1962	7
Dec. 8, 1962–Jan. 3, 1963	6
Jan. 4–Jan. 30, 1963	5
Jan. 31–Feb. 26, 1963	4
Feb. 27–Mar. 25, 1963	3
Mar. 26–Apr. 21, 1963	2
Apr. 22–May 31, 1963	1

[1] Date all storage charges start, all dates inclusive.

(c) *Deduction of storage charges—Eastern common carriers.* In the case of soybeans stored in an approved warehouse operated by an Eastern common carrier there shall be deducted in computing the loan or purchase price the amount of the approved tariff rate for storage (not including elevation), which will accumulate from the date of deposit through the applicable maturity date unless written evidence is submitted with the warehouse receipt that such charges have been prepaid. The county office shall request the ASCS commodity office to determine the amount of such charges. Where the producer presents evidence showing the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges prepaid by the producer.

§ 421.1610 Maturity of loans.

Loans mature on demand but not later than May 31, 1963.

§ 421.1611 Inspection of soybeans under purchase agreement.

(a) *Predelivery inspection.* (1) Where the producer has given written notice within the 30-day period prior to the loan maturity date of his intent to sell his soybeans stored in other than an approved warehouse under purchase agreement to CCC, the county office shall make an inspection, obtain a sample and submit it for grade analysis prior to delivery.

(2) If the soybeans, on the basis of the predelivery inspection are of a quality which meets the requirements for a farm-storage loan, the county office shall issue delivery instructions on or after the date of inspection. The producer must then complete delivery within the period specified in the delivery instructions unless the county office determines that more time is needed for delivery.

(3) The producer whose soybeans are stored in other than approved warehouse which are not of a quality eligible for a loan at the time of the predelivery inspection shall be notified in writing by the county office that his soybeans

are not eligible for purchase by CCC. If, nevertheless, the producer informs the county office that he will condition the soybeans or otherwise take action to make them eligible and insists upon delivery of the soybeans, the county office shall issue delivery instructions. In such case, if the soybeans do not meet the eligibility requirements of § 421.1605 (d) and (e) as determined on the basis of a sample taken at the time of delivery, the soybeans will not be accepted for purchase by CCC.

(4) A predelivery inspection shall not be made in unapproved warehouses where the soybeans are stored commingled or are stored so that the identity of the producer's soybeans is maintained but a predelivery inspection is not possible. When a predelivery inspection is not made such soybeans at the time of delivery must meet the eligibility requirements of § 421.1605 (d) and (e).

(b) *Inspection of soybeans stored by producer after maturity date.* (1) The producer may be required to retain the soybeans stored in other than approved warehouse storage under purchase agreement for a period of 60 days after the loan maturity date without any cost to CCC. CCC will not assume any loss in quantity or quality of the soybeans covered by a purchase agreement occurring prior to delivery to CCC except for quality deterioration under the following circumstances. If a producer has properly requested delivery instructions for soybeans which were determined to be of an eligible grade and quality at the time of the predelivery inspection, and CCC cannot accept delivery within the 60-day period following the loan maturity date, the producer may notify the county office at any time after such 60-day period that the soybeans are going out of condition or are in danger of going out of condition. If the county office determines that the soybeans are going out of condition or are in danger of going out of condition and they cannot be satisfactorily conditioned by the producer, and delivery cannot be accepted within a reasonable length of time, the county office shall obtain an inspection and grade and quality determination.

(2) When delivery is completed, settlement shall be made on the basis of such grade and quality determination or the grade and quality determination made at the time of delivery, whichever is higher, and on the quantity actually delivered.

§ 421.1612 Settlement.

(a) *General.* Settlement for soybeans acquired by CCC under loan or purchase agreement will be made with the producer as provided in this section. The support rate per bushel at which settlement will be made for eligible soybeans shall be determined under the applicable provisions of § 421.1613 and this section.

(1) *Warehouse-storage loans.* Settlement for eligible soybeans acquired by CCC under warehouse-storage loans and represented by warehouse receipts shall be made on the basis of weight, grade and other quality factors shown on such warehouse receipt or accompanying documents.

(2) *Farm-storage loans and purchase agreements.* (i) Delivery will be made in accordance with instructions issued by the county office. Settlement shall be based on the quality and quantity as indicated on warehouse receipts and accompanying documents issued by an approved warehouse or if applicable, the quality and quantity as shown on Form CCC–50.

(ii) Soybeans purchased under a purchase agreement shall be paid for by sight draft drawn on CCC. The producer shall indicate on commodity purchase Form 4 to whom payment shall be made.

(b) *Settlement rate to be established.* In the case of delivery of soybeans under a farm-stored loan and soybeans under purchase agreement which were determined to be eligible at the time of predelivery inspection but which upon delivery are of a grade or quality for which no support rate has been established, the settlement rate shall be the applicable basic support rate adjusted by the premiums and discounts shown in § 421.1613 to the extent they apply and in addition, by the amount of market discounts, if any, as determined by the appropriate ASCS commodity office for the quality by which the soybeans are lower than the quality for which such price support discounts are established: *Provided, however,* That if such soybeans are sold by CCC for the purpose of determining its market price, the settlement value shall not be less than such sales price. Notwithstanding the foregoing, the settlement rate shall not in any event be more than the rate which would have been established under § 421.1613 by using the price support premiums and discounts in such section to the extent that they apply.

(c) *Compensation for hauling.* If the producer is directed by the county office to deliver his price support soybeans to a point a greater distance than to his customary delivery point, the producer will be allowed compensation (as determined by the ASC State committee at not to exceed the common carrier truck rate or the rate available from local truckers) for hauling eligible soybeans the additional distance. The ASC State committee, may in determining the rates of payments for any excess haul, establish reasonable mileage minimums below which producers will not receive compensation for hauling the soybeans.

(d) *Track-loading payment.* A track-loading payment of 3 cents per bushel shall be made to the producer on eligible soybeans delivered to CCC on track at a country point.

(e) *Storage payment where CCC is unable to take delivery of soybeans stored in other than an approved warehouse under loan or purchase agreement.* The producer may be required to retain soybeans stored in other than an approved warehouse under loan or purchase agreement for a period of 60 days after the maturity date without any cost to CCC. However, if CCC is unable to take delivery of such soybeans within the 60-day period after maturity, the producer shall be paid a storage payment upon delivery to CCC: *Provided, however,* That a storage payment shall be paid a producer whose soybeans are stored in other than an approved warehouse under purchase agreement only if he had properly given notice of his intention to sell the soybeans to CCC and delivery cannot be accepted within the 60-day period after maturity. The period for earning such storage payment shall begin the day following the expiration of the 60-day period after the maturity date and extend through the final date of delivery, or the final date for delivery as specified in the delivery instructions issued to the producer by the county office whichever is earlier. The storage payment shall be computed at the storage rate for soybeans provided for in the Uniform Grain Storage Agreement in effect at the time of such storage.

(f) *Storage deduction for early delivery.* If farm-stored soybeans are delivered to CCC prior to maturity date, a deduction for storage shall be made, except that no deduction shall be made if such early delivery is made because the loan is called solely for the convenience of CCC, or if it is determined by CCC at the time of delivery that the soybeans will be sold rather than stored, or if CCC requires early delivery on an area basis.

(g) *Refund of prepaid handling charges.* In the case a warehouseman charges the producer for the receiving or the receiving and loading out charges on soybeans under loan or purchase agreement stored in an approved warehouse, the producer shall, upon delivery of the soybeans to CCC, be reimbursed or given credit by the county office for such prepaid charges not to exceed those specified in the Uniform Grain Storage Agreement, provided the producer furnishes to the county committee written evidence signed by the warehouseman that such charges have been paid. In the case an approved warehouse operated by an Eastern common carrier charges the producer for the elevation charges on soybeans under loan or purchase agreement, the producer shall, upon delivery of the soybeans to CCC, be reimbursed or given credit by the county office for such prepaid charges in an amount not to exceed the charges specified in the applicable approved tariff, provided the producer furnishes to the county office written evidence signed by the warehouseman that such charges have been paid and that CCC has not previously given the producer credit for such charges as provided in § 421.1609(c).

(h) *Ineligible soybeans inadvertently accepted by CCC.* (1) In the case of (i) ineligible soybeans delivered to or acquired by CCC under a loan; (ii) soybeans delivered in excess of the maximum quantity stated in the purchase agreement; (iii) ineligible soybeans delivered under a purchase agreement where a predelivery inspection was not made; (iv) ineligible soybeans delivered under a purchase agreement where the predelivery inspection indicated it to be of an ineligible quality, and (v) any other ineligible soybeans acquired by CCC under a purchase agreement, the settlement value shall be the market price as determined by CCC, but in no

event more than the applicable support rate.

(2) If CCC sells the soybeans for the purpose of determining its market price, the settlement value shall be such sales price. The provisions of this paragraph do not apply to ineligible soybeans covered by paragraphs (i) and (j) of this section.

(i) *Fraud.* The making of any fraudulent representation by the producer, in connection with settlement or deliveries under a loan shall render the producer personally liable, aside from any additional liability under criminal and civil frauds statutes, for the amount of the loan, for any additional amounts paid to the producer on the commodity, and for all costs which the Corporation would not have incurred had it not been for the producer's fraudulent representation, together with interest at the rate of 6 percent per annum on such amounts from the date of disbursement. For the purpose of establishing any deficiency remaining due in the event the producer has made any such fraudulent representation, the value of the soybeans acquired by CCC under the loan shall be the market value as determined by CCC on the date of delivery or removal in the case of farm-storage loans or the market value of the soybeans as of the close of the market on the final date for repayment in the case of warehouse-storage loans, or in the case of both farm-storage and warehouse-storage loans the sales price if the soybeans are sold by CCC in order to determine its market value. If the producer has made a fraudulent representation in a sale under a purchase agreement or in the purchase agreement documents, he shall be personally liable, aside from any additional liability under criminal or civil frauds statutes for any loss which CCC sustains upon the soybeans delivered under the purchase agreement. For the purpose of this program, such loss shall be deemed to be the price paid to the producer on the soybeans delivered under the purchase agreement plus all costs sustained by CCC in connection with the soybeans, together with interest at the rate of 6 percent per annum from the date of disbursement, less the market value, as determined by CCC of the soybeans as of the close of the market on the date of delivery, or the sales price if the soybeans are sold in order to determine their market value.

(j) *Poisonous substances.* If soybeans are delivered to CCC which contain mercurial compounds or other substances poisonous to man or animals, such soybeans shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel, or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price, except that if CCC is unable to sell such soybeans for the uses specified above, the settlement value shall be the market value, as determined by CCC, as of the date of delivery.

§ 421.1613 Support rates.

The support rate for the quality of soybeans placed under a loan or acquired under a loan or purchase agreement shall be the applicable basic county support rate established for the county in which the soybeans were produced, adjusted in accordance with the provisions of this section, and in the case of settlement of loans and purchase agreements as further provided in § 421.1612. Basic county support rates for the classes Green Soybeans and Yellow Soybeans grading No. 2 and containing from 13.8 to 14.0 percent moisture will be a part of this section to be issued at a later date.

(a) *Discounts.* The following discounts shall, in the case of loans be applied to the basic rate at the time the loan is completed and at the time of settlement and, in the case of deliveries under purchase agreements shall be applied to the basic rate at the time of settlement. All discounts shall be cumulative.

(1) *Where weed control laws apply.* Where the State committee determines that State, district or county weed control laws, as administered, affect the soybean crop, the support rate in the case of farm storage shall be 10 cents below the applicable county support rate for the county in which the soybeans were produced unless the producer obtains a certificate from the appropriate weed control official indicating that the soybeans comply with the weed control laws. In the case of warehouse storage, whenever the State committee of the State in which the soybeans are stored determines that State, district or county weed control laws, as administered, affect soybeans stored in approved warehouses, the rate shall be 10 cents below the applicable support rate for the county which the soybeans were produced unless the producer obtains a certificate from either the appropriate State, county or district weed control official or the storing warehouseman that the soybeans comply with the weed control laws, and in the case of a certificate from the warehouseman, that he will save CCC harmless from loss or penalty because of the weed control laws. The certificate of the warehouseman may be in substantially the following form:

CERTIFICATION

This is to certify that the grain evidenced by warehouse receipt No. ------ issued to ---------- is not subject to seizure or other action under weed control laws or regulations in effect at point of storage. It is further certified and agreed that should such grain be taken over by CCC in settlement of a loan or be purchased under the purchase agreement program that the undersigned will save CCC from loss or penalty under weed control laws or regulations in effect at the point the grain was stored under the above warehouse receipt.

(Signature)

(Address)

(Date)

(2) *Classification discount.*

Class	Cents per bushel
Black	−25
Brown	−25
Mixed	−25

(3) *Test weight per bushel.*

Pounds	Cents per bushel
53.0 through 53.9	− ½
52.0 through 52.9	−1
51.0 through 51.9	−1½
50.0 through 50.9	−2
49.0 through 49.9	−2½

(4) *Splits.*

Percent	Cents per bushel
20.1 through 25.0	− ½
25.1 through 30.0	−1
30.1 through 35.0	−1½
35.1 through 40.0	−2

(5) *Damaged kernels.*[1]

Heat percent	Total percent	Cents per bushel
0.6 through 0.7	3.1 through 4.0	− ½
0.8 through 1.0	4.1 through 5.0	−1
1.1 through 1.5	5.1 through 6.0	−1½
1.6 through 2.1	6.1 through 7.0	−2
2.2 through 3.0	7.1 through 8.0	−2½

[1] Use column which yields the higher applicable discount.

(6) *Foreign material.*

Percent	Cents per bushel
2.1 through 2.5	−1
2.6 through 3.0	−2
3.1 through 3.5	−3
3.6 through 4.0	−4
4.1 through 4.5	−5
4.6 through 5.0	−6

(b) *Premiums.* The following premiums are applicable to eligible soybeans. In the case of farm-storage loans and deliveries under purchase agreements, premiums shall be applied to the basic rates at the time of settlement. In the case of warehouse-storage loans, premiums shall be applied to the basic rates at the time the loans are completed. All premiums shall be cumulative.

(1) *Low moisture.*

Percent	Cents per bushel
12.2 or less	+4
12.3 through 12.7	+3
12.8 through 13.2	+2
13.3 through 13.7	+1
13.8 through 14.0	0

(2) *Low foreign material.*

	Cents per bushel
1.0 percent or less	+2

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 6, 1962.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 62-6763; Filed, July 10, 1962; 8:54 a.m.]

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PART 427—COTTON

Subpart—1962 Cotton Loan Program Regulations

Sec.

AUTHORITY: §§ 427.1301 to 427.1329 issued under sec. 4, 62 Stat. 1070, as amended, sec. 5, 62 Stat. 1072, secs. 101, 103, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1444, 1421.

§ 427.1301 General statement.

This subpart contains the regulations, instructions, and requirements with respect to the 1962 Cotton Loan Program of Commodity Credit Corporation (referred to in this subpart as "CCC") formulated by CCC and the Agricultural Stabilization and Conservation Service (referred to in this subpart as "ASCS"). Under this program, loans will be made available on 1962-crop upland and extra long staple cotton in accordance with this bulletin.

§ 427.1302 Administration.

Under the general direction and supervision of the Executive Vice President, CCC, the Cotton Division, and other appropriate divisions of ASCS, will carry out the provisions of this subpart. In the field the program will be administered through the New Orleans ASCS Commodity Office, 120 Marais Street, New Orleans 16, Louisiana (referred to in this subpart as the "New Orleans office"), and Agricultural Stabilization and Conservation (referred to in this subpart as "ASC") State and county committees (referred to in this subpart as "State committees" and "county committees," respectively). Program availability and maturity dates will be those specified in this subpart, except that whenever the final date of availability or the maturity date falls on a nonworkday for ASCS county offices (referred to in this subpart as "county offices") or the New Orleans office, the applicable final date shall be extended to include the next workday. Forms will be distributed by the New Orleans office and will be available in county offices and will also be available at approved lending agencies, approved warehouses, and others designated to participate in the loan program. State and county committees and employees thereof and the New Orleans office do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements thereto. No delegation herein to a State or county committee or the New Orleans office shall preclude the Executive Vice President, CCC, or his designee, from determining any question arising under the program or from reversing or modifying any determination made by a State or county committee, or the New Orleans office.

§ 427.1303 Availability of loans.

(a) *General statement.* Loans will be available to eligible producers on eligible cotton and will be made available through warehouse and bill of lading loans.

(b) *Area.* Loans on cotton produced in the areas specified below and covered by bills of lading will be available in areas designated by the New Orleans office where there is a shortage of storage space and the necessary arrangements for handling the cotton can be made. Warehouse loans will be available on:

(1) Upland cotton produced in all cotton-producing areas of the continental United States.

(2) Extra long staple cotton produced in areas designated in this subparagraph.

(i) American-Egyptian cotton produced in Cochise, Gila, Graham, Greenlee, Maricopa, Mohave, Pima, Pinal, Santa Cruz, and Yuma Counties, Arizona; Imperial and Riverside Counties, California; Dona Ana, Eddy, Luna, Otero, and Sierra Counties, New Mexico; and Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, and Ward Counties, Texas.

(ii) Sea Island and Sealand cotton produced in Berrien, Cook, and Lanier Counties, Georgia; and Alachua, Bradford, Columbia, Hamilton, Jefferson, Lake, Levy, Madison, Marion, Orange, Putnam, Seminole, Sumter, Suwannee, Union, and Volusia Counties, Florida; and Sea Island cotton produced from seed planted in 1962 in Puerto Rico.

(c) *Time.* Loans will be available from the date rates are announced through April 30, 1963. Notes covering warehouse-stored cotton must be signed by the producer and delivered to the lending agency or the county office on or before April 30, 1963. Loans on cotton covered by bills of lading will be available only during the periods specified by the New Orleans office.

(d) *Source.* Loans will be available from CCC through the county office of the county in which the cotton was produced. Loans will also be available through any approved lending agency. However, no lending agency shall be approved in a county if the State committee determines that loans made in such county on Form CCC Cotton A shall be made only at the county office. The State committee shall make this determination a reasonable time prior to the time loans are usually made in the county and shall publicize this determination so that cotton producers in the county will have reasonable notice as to where CCC loans on cotton may be obtained. Disbursements on loans will be made to producers by county offices by sight drafts drawn on CCC or by approved lending agencies under agreements with CCC at the locations for which they are approved. Disbursements of loans by approved lending agencies or county offices will be made not later than April 30, 1963, except where specifically approved by the New Orleans office in each instance. The producer shall not present the loan documents for disbursement unless the cotton is in existence and in good condition. If the cotton is not in existence and in good condition at the time of disbursement, the producer shall immediately return the check or draft issued in payment of the loan, or if the check or draft has been negotiated, shall promptly refund the proceeds.

§ 427.1304 Approved lending agency.

An approved lending agency shall be any bank, corporation, partnership, association, individual, or other legal entity which has entered into a Lending Agency Agreement-Cotton (Form CCC Cotton D, referred to in this subpart as "Form D") with CCC. Banks and other agencies desiring to enter into Lending Agency Agreements should make application to the New Orleans office which will enter into such agreements on behalf of CCC with responsible applicants having organizations and facilities adequate to properly carry out their responsibilities and obligations under the program.

§ 427.1305 Producer.

A producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision, producing eligible upland or extra long staple cotton in the capacity of landowner, landlord, tenant, or sharecropper.

§ 427.1306 Eligible producer.

(a) A producer will be entitled to a loan on eligible upland or extra long staple cotton produced by or for him in 1962 on a farm (as defined for purposes of cotton marketing quotas) for which a 1962 acreage allotment for such kind of cotton has been determined under Title III of the Agricultural Adjustment Act of 1938, as amended and supplemented, if all of the following requirements are met:

(1) The 1962 planted acreage (as determined for purposes of cotton marketing quotas) of such kind of cotton on the farm does not exceed the 1962 cotton acreage allotment for the farm for such kind of cotton.

(2) For the purpose of determining eligibility for a loan, the upland or extra long staple cotton acreage on the farm will not be deemed to be in excess of the acreage allotment for such cotton unless such acreage allotment for such kind of cotton is knowingly exceeded. If the producer operating the farm is notified that such acreage allotment has been exceeded and the planted acreage is not adjusted to such acreage allotment within the period allowed under the notice, such acreage allotment shall be deemed to have been knowingly exceeded by the producers having an interest in the cotton.

(b) In the case of eligible cotton produced by a landlord and his share tenant or sharecropper, a loan may be obtained only as follows:

(1) If the cotton is divided among the producers entitled to share in such cotton, each landlord, tenant, or sharecropper may obtain a loan on his separate share.

(2) If the cotton is not divided, (i) all producers having a share in the cotton may obtain a joint loan on such cotton, or (ii) the landlord may obtain a loan on cotton in which both he and one or more share tenants or sharecroppers have an interest if he has the legal right to do so, and in such cases the share tenants or sharecroppers must be paid their pro rata share of the loan proceeds and their pro rata share of any additional proceeds received from the cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which a landlord has an interest. Except as provided above, two or more producers may not obtain a joint loan on their cotton.

§ 427.1307 Eligible cotton.

Eligible cotton shall be upland cotton produced in the United States in 1962 or extra long staple cotton planted in 1962 and produced in areas designated under § 427.1303, which meets the following requirements:

(a) Such cotton must have been produced on a farm on which the acreage planted to such kind of cotton (as determined for purposes of cotton marketing quotas) does not exceed the 1962 cotton acreage allotment for the farm for such kind of cotton (determined on the basis of § 427.1306(a)(2)).

(b) Such cotton must be of a grade and staple length specified in § 427.1329 and must be represented by warehouse receipts meeting the requirement of § 427.1319.

(c) Such cotton must not be false-packed, water-packed, mixed-packed, reginned, or repacked; upland cotton must not have been reduced more than two grades because of preparation; extra long staple cotton must have been ginned on a roller gin, shall be of normal character, and must not have been designated as "wasty" or reduced in grade for any reason.

(d) Such cotton must be in existence and in good condition.

(e) Such cotton must not be compressed to high density.

(f) Such cotton must have been produced by the person tendering it for a loan, and such person must have the legal right to pledge it as security for a loan.

(g) If such cotton was produced on land owned by the Federal Government, it must not have been produced in violation of the provisions of the lease.

(h) If the person tendering such cotton is a landlord or landowner, the cotton must not have been acquired by such landlord or landowner directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if it was produced by him in the capacity of landlord, share tenant, or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and one or more share tenants or sharecroppers have an interest.

(i) The person or association tendering such cotton must not have previously sold and repurchased such cotton.

(j) Each bale of cotton must weigh not less than 350 nor more than 625 pounds, gross weight, and must be adequately packaged in new material manufactured for cotton bale covering, except used jute and sugar bagging will be acceptable if such bagging is clean and in sound condition. Bagging manufactured from sisal and other hard fibers will not be acceptable. The bagging must be sufficiently strong to adequately protect the cotton. Cotton compressed to standard density, whether compressed by a warehouseman or at a gin, must have not less than eight bands. Heads of bales must be completely covered. Bales packaged with new bagging and ties used in the Cotton Experimental Bale Packaging Program sponsored by the National Cotton Council, Memphis, Tennessee (referred to in this subpart as "Experimental Bale Packaging Program"), will be acceptable provided there is attached to each such bale a tag which identifies such bale with the program and which shows the actual tare weight and the number of pounds to be added to the gross weight of the bale for the purpose of adjusting the bale to the normal gross weight under such program.

(k) Each bale of cotton must bear the gin bale number.

§ 427.1308 Forms.

The following documents must be delivered by producers in connection with every loan except loans made pursuant to § 427.1327:

(a) *Warehouse-stored loans.* (1) Cotton Producer's Note (Form CCC Cotton A, referred to in this subpart as "Form A").

(2) Warehouse receipts complying with the provisions of § 427.1319.

(3) Cotton Classification Memorandum Form 1 or Form A3 for each bale showing the classification assigned by a board of cotton examiners of the United States Department of Agriculture (referred to in this subpart as the "board").

(4) Lien Waiver (Form CCC–889, referred to in this subpart as "Form 889"), if used in lieu of execution of Leinholder's Waiver on the Form A in accordance with the provisions of § 427.1314.

(b) *Cotton represented by order bills of lading.* (1) Form A executed within the area and during the period such loans are available.

(2) Order bill of lading in a form acceptable to CCC and representing the cotton tendered as security for the loan.

(3) If the receiving agency is not a warehouseman, Weight and Condition Certificates complying with the provisions of § 427.1321 and a Receiving Agency's Certificate.

(4) Cotton Classification Memorandum Form 1 or Form A3 for each bale showing the classification assigned by the board.

(5) Form 889 if used in lieu of execution of Lienholder's Waiver on the Form A in accordance with the provisions of § 427.1314.

(c) *Loan documents executed by an administrator, executor, or trustee.* Loan documents executed by an administrator, executor, or trustee will be acceptable only where valid in law. State documentary revenue stamps shall be affixed to loan documents where required by law.

(d) *Powers of attorney.* A producer who desires to appoint an attorney-in-fact to act in his place and stead in obtaining loans shall use Power of Attorney (Form CCC–818, referred to in this subpart as "Form 818") which must be filed with the New Orleans office and an executed copy filed with the lending agency or county office disbursing the loan proceeds.

§ 427.1309 Approved storage.

Cotton will be accepted as security for loans only if stored by warehouses approved by CCC. Warehousemen desiring approval of their facilities should communicate with the New Orleans office. The names of approved warehouses may be obtained from the New Orleans office or State or county offices.

§ 427.1310 Weight, loan rate, and amount.

(a) *Weight.* Loans will be made on the gross weight of upland cotton and on the net weight of extra long staple cotton. The gross weight of the bale shall be the gross weight shown on the warehouse receipt if the loan is made on cotton represented by warehouse receipts, or the gross weight shown on the Weight and Condition Certificate (see § 427.1321(c)) if the loan is made on cotton represented by order bills of lading. Notes covering cotton pledged on reweights will not be accepted if it is evident that such reweights reflect an increase in weight due to the absorption of additional moisture. In making loans on upland cotton covered with cotton bagging made of cotton material manufactured specifically for covering cotton bales, an allowance of 7 pounds per bale will be added to the gross weight of the bale: *Provided,* That the allowance to be added to the gross weight of the bale shall not exceed an amount which will reflect a tare weight of more than 21 pounds for the bale. In order to encourage improved wrapping methods and compensate for resulting reduced tare weight in making loans on upland cotton wrapped with material under the Experimental Bale Packaging Program, there will be added to the gross weight of the bale an allowance equal to the number of pounds shown on the program bale tag to be necessary "to adjust to normal gross weight" under such program. No allowances other than those provided for in this subsection will be made.

(b) *Loan rate.* (1) The base loan rate for Middling 1-inch upland cotton (except for the special condition upland cotton provided for hereinbelow) at each approved warehouse will be shown in the Schedule of Base Loan Rates for Upland Cotton (which will be

issued about June 30, 1962). This schedule will be available at county offices.

(2) The premium or discount applicable to each other eligible grade and staple length of upland cotton is shown in § 427.1329.

(3) The loan rate for upland cotton for which the classification memorandum shows a reduction in grade because of the presence of extraneous matter or because of spindle twist shall be one cent a pound less than the loan rate for the quality (grade and staple length) to which the cotton is reduced.

(4) The loan rate for upland cotton which is designated on the classification memorandum as "wasty" shall be four cents a pound less than the loan rate for the quality (grade and staple length) shown on the classification memorandum for the cotton.

(5) Loan rates for extra long staple cotton are also shown in § 427.1329.

(c) *Amount.* The amount due the producer will be determined by multiplying the weight as determined in paragraph (a) of this section by the applicable loan rate as determined in paragraph (b) of this section. After a loan is made, CCC will not be obligated to make adjustments in the amount of the loan as a result of any subsequent redetermination of the weight or quality of the cotton.

§ 427.1311 Preparation of documents.

(a) A producer desiring to obtain a loan may obtain the necessary forms from county offices, approved lending agencies, approved warehouses, and approved clerks (persons approved by the county committees to assist producers in preparing and executing the loan forms). All applicable blanks on the loan forms must be filled in with ink, indelible pencil, or typewriter in the manner indicated therein, and documents containing additions, alterations, or erasures may be rejected by CCC. (Forms A having a date prior to April 10, 1962, shall not be used.) All copies must be clearly legible, and the copies shall reflect all information contained on the original, including all signatures. The spaces provided on Forms A for the producer to request payment of the proceeds must be completed in every instance. All disbursements made from the proceeds of a Form A, including clerk's fee when deducted, must be shown, and the total must agree with the amount of the Form A. No deduction may be made from the loan proceeds by the lending agency as a charge for interest, commission, exchange, or any other charge in connection with disbursement of the loan or handling of the loan documents, except the authorized clerk's fee in case an employee of the lending agency has executed the Clerk's Certificate on Form A. Care should be exercised by the lending agency and the county office to determine that the warehouse receipts and bills of lading are genuine. Before the loan clerk prepares loan documents for a producer, he must require the producer to present his marketing card so that he can determine whether the producer is eligible for a loan. The marketing cards issued by the county office will indicate the producer's eligibility. If the producer's 1962 upland marketing card is Form MQ–76—Upland Cotton (a green card) or his 1962 extra long staple cotton marketing card is Form MQ–76—ELS Cotton (a white card), the loan clerk will use this as evidence that the producer is eligible to obtain a loan on the kind of cotton for which such card was issued. Loan documents for cotton produced on a farm identified by a green or white marketing card may be prepared by the county office and the loan proceeds disbursed by an approved lending agency of the producer's choice. If the loan documents are presented to a lending agency and the producer's 1962 marketing card is Form MQ–76–R—Upland Cotton (a red card) which contains an "X" in the box following the words "Not eligible unless loan documents prepared in county office," or if the producer's marketing card is Form MQ–76–R—ELS Cotton (a red card) which contains an "X" in the box following the words "Not eligible unless loan documents prepared in county office," the loan clerk shall inform the producer that in order for him to obtain a loan on his cotton he must have the loan documents prepared in the county office in the county in which the cotton was produced. Disbursement on such loans will be made by the county office preparing the loan documents by means of sight drafts. If the box on Form MQ–76–R—Upland Cotton or Form MQ–76–R—ELS Cotton following the words "Not eligible for price support" contains an "X," the producer cannot obtain a loan on such kind of cotton produced on that farm under any condition and should be so informed by the clerk. Lending agencies which are also eligible producers must obtain loans on cotton produced by them through the county office in the county in which the cotton was produced or through another approved lending agency. An approved clerk cannot execute loan documents for cotton owned by him. An approved clerk who under a power of attorney executes the loan documents on behalf of the producer shall not execute the Clerk's Certificate on such loan documents.

(b) The Clerk's Certificate on each Form A tendered for a loan must be executed by the approved clerk who assisted the producer in the preparation and execution of the Form A. The Form A must be signed by the producer in the presence of an approved clerk, and the copy marked "Producer's Copy" is to be retained by the producer. The copy marked "Lending Agency" shall be retained by the lending agency or the county office, whichever makes the loan. If the lending agency makes the loan, it shall retain the copy at the location for which approved unless otherwise authorized by the New Orleans office. The copy marked "Warehouseman" shall be transmitted to the warehouseman by the lending agency or the county office at the time the original Form A is transmitted to the New Orleans office. Loan forms must not be signed in blank under any circumstances. All applicable entries must be completed prior to the time the form is signed by either the producer or the loan clerk. The Schedule of Pledged Cotton on the Form A shall be completed, and the data entered therein shall be verified by the loan clerk or an employee in the county office when the loan is disbursed in the county office. The cotton classification memorandums covering the cotton in the Schedule of Pledged Cotton shall be forwarded along with the other applicable loan documents to the New Orleans office. All persons claiming liens on the cotton must sign the Lienholder's Waiver on the Form A, except that in lieu of signing the Lienholder's Waiver on each Form A, the lienholder may waive his lien on all cotton produced on a farm by executing Form 889 as provided in § 427.1314. Cotton pledged as security for a loan may be of different grades and staple lengths but must be stored in the same warehouse. When the classification memorandum shows that the cotton has been reduced in grade because of the presence of extraneous matter or because of spindle twist, the reduction data shown on the classification memorandum must be entered in the column headed "Reduced from A/C" in the Schedule of Pledged Cotton. When the cotton has been designated as "wasty" on the cotton classification memorandum, the notation "wasty" must be entered in the column headed "Reduced from A/C" in the Schedule of Pledged Cotton. The loan clerk shall enter all applicable information from the warehouse receipts representing the cotton. However, if any warehouse receipt does not show that receiving charges have been paid, or if it contains any notation indicating that the bale is not eligible for a loan, the clerk shall not enter the bale on the Form A and shall inform the producer that the bale is not eligible. Not more than 500 bales shall be pledged as security for any one Form A. When disbursement on the Form A is made by a lending agency, the lending agency shall transmit the loan documents to the New Orleans office and must execute the covering Lending Agency's Letter of Transmittal (Form CCC Cotton C, referred to in this subpart as "Form C"). Date of disbursement shown on the Form A must be the actual date of disbursement to the producer by the lending agency or the county office.

§ 427.1312 Service charges.

No service charges will be collected by CCC in connection with warehouse loans (except for fees collected by county office employees as provided in § 427.1313).

§ 427.1313 Fees.

The clerk or county office employee assisting the producer in the preparation of the loan documents may collect a fee from the producer not to exceed the fees shown in the following schedule:

Number of bales on note:	*Maximum fee allowed*
1	25 cents.
2–6	25 cents plus 15 cents for each bale over 1.
7 and over	$1 plus 10 cents for each bale over 6.

§ 427.1314 Liens.

Eligible cotton tendered for loan must be free and clear of all liens except the warehouseman's lien for charges permitted under § 427.1320 on warehouse-stored cotton. The signatures of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not the warehouseman if the cotton is stored in a warehouse) must be obtained on the Lienholder's Waiver on each Form A, except that in lieu of signing the Lienholder's Waiver on each Form A, the lienholder may waive his lien on all cotton produced on a farm for the crop year designated by executing Form 889. The original of the Form 889 must be attached securely to the first Form A on which the Lienholder's Waiver is not executed for the particular lien so as to be recorded and filed in the New Orleans office. Thereafter, the Lienholder's Waiver on Forms A covering additional cotton produced on the farm and tendered by the producer who furnished the Form 889 shall show the words "see Form 889 on file." An executed copy must be filed by the producer with each lending agency or county office which disburses the proceeds of any Form A executed by the producer. Additional copies may be prepared and retained by the producer and lending agency or county office as desired. A fraudulent representation as to prior liens, or otherwise, will render the producer personally liable and subject him, and any other person who causes the fraudulent representation to be made, to criminal prosecution under the provisions of the Commodity Credit Corporation Charter Act. The Lienholder's Waiver or Lien Waiver must be signed personally by all lienholders, by their agents (in which case duly executed Forms 818 must be filed with the New Orleans office), or if a corporation, by the designated officer thereof customarily authorized to execute such instruments (in which case no authority need be attached). A joint disbursement of loan proceeds to the producer and the lienholder does not satisfy the requirement that lienholders must execute the Lienholder's Waiver.

§ 427.1315 Setoffs.

(a) If any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are payable, under the provisions of the note evidencing such loan out of any amount due the producer under the program provided for in this subpart, the producer must designate CCC as payee of such amount to the extent of such installments, but not to exceed that portion of the amount remaining after deduction of clerk's fees and amounts due prior lienholders.

(b) If the producer is indebted to CCC, or if the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt record, amounts due the producer under the program provided for in this subpart, after deduction of amounts payable on farm-storage facilties or mobile drying equipment and other amounts provided in paragraph (a) of this section shall be applied, as provided in the Secretary's Setoff Regulations 7 CFR Part 13 (23 F.R. 3757), to such indebtedness.

(c) In any case referred to in paragraphs (a) and (b) of this section, the producer's marketing card will indicate that he must go to the county office in the county in which the cotton was produced and have his loan documents prepared in the county office. Any amount which is to be set off must be entered in the space provided in the Producer's Note by the county office.

(d) Compliance with the provisions of this section shall not deprive the producer of any right he might otherwise have to contest the justness of the indebtedness involved in the setoff action either by administrative appeal or by legal action.

§ 427.1316 Classification of cotton.

(a) All cotton tendered for loan must be classed by a board and tendered on the basis of such classification. A Cotton Classification Memorandum Form 1 will be accepted only if the sample was a representative sample drawn in accordance with instructions to organized improvement groups for sampling cotton under the 1962 Smith-Doxey Program. If the producer's cotton has not been sampled for a Form 1 classification, the warehouseman (for warehouse-stored cotton) or receiving agency (for cotton covered by bills of lading) shall sample such cotton and forward the samples to the board serving the district in which the cotton is located. A Cotton Classification Memorandum Form A3 must be inserted in each such sample. A Tag List and Record Sheet (CCC Cotton Form L, referred to in this subpart as "Form L") must be prepared by the warehouseman or receiving agency, listing each sample included in a shipment to the board. A copy of such Form L shall be included with the samples, and the original and two copies must be mailed separately to the board. The board will enter the classification of each bale on the Form L and return a copy of such form to the warehouse or receiving agency. The Cotton Classification Memorandum Form A3 will be returned to the producer by the board. If a sample has been drawn and submitted for a Form 1 or Form A3 classification, another sample shall not be drawn and forwarded to a board except for a review classification. If through error or otherwise, in any case where review classification is not involved, two or more samples from the same bale are submitted for classification, the loan rate shall be based on the classification having the lower loan value. If a Form 1 or Form A3 review classification is obtained, the loan value of the cotton represented thereby will be based on such review classification.

(b) A charge of 25 cents per bale shall be collected from the producer by the warehouseman or receiving agency for all cotton for which samples are submitted to a board for a Form A3 classification or a Form 1 or Form A3 review classification. The boards will submit billings for classing charges to the warehousemen or receiving agencies at the end of each month. Checks or money orders covering these charges shall be made payable to "Commodity Credit Corporation" and shall be sent to the New Orleans office.

§ 427.1317 Interest rate.

Loans and charges shall bear interest at the rate of 3½ percent per annum from the date of disbursement to the date of repayment except that where there has been a willful misrepresentation in obtaining the loan, the principal amount of the loan and any costs incurred by CCC shall bear interest from the date of disbursement at the rate of 6 percent per annum.

§ 427.1318 Maturity.

(a) Loans mature on July 31, 1963, or upon such earlier date as CCC may make demand for payment.

(b) Upon the maturity and nonpayment of the note, CCC is authorized without notice to the producer to sell, transfer, and deliver the cotton, or documents evidencing title thereto, at such time, in such manner, and upon such terms and conditions as CCC may determine, at any cotton exchange, or elsewhere, or through any agency, at public or private sale, for immediate or future delivery, and without demand, advertisement, or notice of the time and place of sale or adjournment thereof or otherwise; and, upon such sale, CCC may become the purchaser of the whole or any part of such cotton. Any overplus remaining from the proceeds received therefrom, after deducting from such proceeds the amount of the loan, charges, and interest, shall be paid to the producer or his personal representative without right of assignment to or substitution of any other person.

(c) At CCC's election, upon maturity and nonpayment of the note, title to the cotton shall, without a sale thereof, immediately vest in CCC, and CCC shall have no obligation to pay for any market value which such cotton may have in excess of the amount of the loan, plus interest and charges.

(d) To avoid administrative costs of making small payments and handling small accounts, amounts due the producer of $3 or less will be paid only upon his request. Deficiencies of $3 or less, including interest, may be disregarded unless demand for payment is made by CCC.

§ 427.1319 Warehouse receipts and insurance.

Only negotiable machine card-type warehouse receipts, acceptable to CCC, issued by an approved warehouse and properly assigned by an endorsement in blank so as to vest title in the holder or issued to bearer will be acceptable. The warehouse receipts must contain the gin bale number, must show that the cotton is covered by fire insurance, and must be dated on or prior to the date the producer signs the notes. Each receipt must have been stamped by the warehouseman to show "Receiving charges paid" or "Rec. Chgs. Pd." Open yard endorsement, if any, on the warehouse receipt must have been rescinded

with the legend "Open yard disclaimer deleted" with appropriate warehouseman's signature. Each receipt must set out in its written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of Section 2 of the Uniform Warehouse Receipts Act. If the cotton has been compressed by either a gin or a warehouse, each receipt covering a compressed bale must also be stamped or printed to reflect the compression status of the cotton; i.e., "Standard Density" or "Std. Den." for cotton compressed to standard density at a warehouse; or "Gin Standard Density" or "Gin Std. Den." for cotton compressed to standard density by a gin. If the cotton has been compressed and the charge for such compression has been paid by the depositor or others, the receipts must also be stamped either "Compression Paid" or "Comp. Pd." Block warehouse receipts will not be accepted except on cotton to be reconcentrated pursuant to §427.1322.

§ 427.1320 Warehouse charges.

Before approving any warehouse for the storage of loan cotton, CCC will enter into a 1962 Loan Cotton Storage Agreement (Form CCC 824–L (Loan)) with the warehouseman. By executing such agreement, the warehouseman and CCC agree that 1962-crop cotton on which loans are made by CCC on Form A and Form CCC Cotton G–1 (Certificate of Association) and which is listed in copies of the loan documents or other notices received by the warehouseman from CCC as cotton on which loans have been made by CCC will be stored and handled on the terms and conditions specified in such agreement and on terms and conditions and at rates determined as follows: The cotton shall be insured against loss or damage by fire under a policy or policies providing coverage equivalent to that afforded under the standard fire policy of the State in which the cotton is stored for the full market value (if the cotton is compressed, its market value shall be the market value of flat cotton plus compression charges, or if the cotton is uncompressed and the warehouseman desires to collect his delivery charge for flat cotton in lieu of compression if it is destroyed by fire, such charge must be covered by insurance) at the time and place of loss and shall be kept so insured so long as the warehouse receipts therefor are outstanding unless, under a storage agreement between the warehouseman and CCC, the warehouseman is permitted to cancel his insurance on the cotton. Such insurance shall cover damage to the cotton by water from the warehouseman's sprinkler system when such damage results from fire in the same warehouse in which the cotton is stored. From the dates of the warehouse receipts representing the cotton or from the date through which the producer has paid storage charges, whichever is later, through July 31, 1963, all charges on the cotton for storage and insurance shall be at the rate of 46 cents per bale per month or fraction thereof for flat or compressed cotton stored in a warehouse operating compress facilities or compressed cotton stored in a warehouse not operating compress facilities, and at the rate of 51 cents per bale per month or fraction thereof for flat cotton stored in a warehouse not operating compress facilities, or the warehouseman's established tariff on cotton other than CCC loan cotton, whichever is less: *Provided,* That on any cotton transferred prior to July 31, 1963, to another warehouseman without movement of the cotton, and for which new warehouse receipts must be issued, or on any cotton shipped by CCC prior to July 31, 1963, at the request of the warehouseman to permit the warehouseman to discontinue the storage of cotton, payment for the fractional part of the storage month prior to the date of such transfer or shipment shall be paid by CCC at the proportionate part of the monthly rate. If the warehouse operates compress facilities, the tariff rate to which reference is made herein shall be the rate applicable to compressed cotton regardless of the compression status of the cotton. Such charges, accrued through July 31 of any year in which these rates are in effect, shall be paid by CCC as soon as possible after such date on all of the cotton represented by warehouse receipts held by CCC at the time of payment: *Provided,* That on any cotton for which CCC makes payment of accrued charges through July 31 of any year, payment for the fractional part of a month prior to such date shall be at the proportionate part of the monthly rate. The warehouseman may make a charge for outhandling, including picking out by tag numbers and loading according to custom into cars or trucks, of not to exceed 25 cents per bale if such charges are included in the warehouseman's tariff: *Provided,* That no such outhandling charge may be made where collection for the service has been included in any other charge or otherwise collected. Charges for compression of cotton by the warehouseman, including compression charges on cotton compressed to standard density by the warehouseman at his gin, will be at the rates provided in the warehouseman's established tariff in effect at the time the service is ordered performed. Compression charges on cotton compressed to standard density for the warehouseman at a gin or another warehouse under written contract with the warehouseman will be at the rate which the warehouseman has paid the ginner or the other warehouseman. In no event shall compression charges on gin-compressed cotton or cotton compressed by another warehouseman exceed the rate paid to the ginner or the other warehouseman by his customers on all other cotton, and such compression charges will be paid by CCC or a subsequent holder of the warehouse receipts only to the warehouseman and only if he has contracted for and paid the gin or other warehouse for such compression. The warehouseman's voucher for such compression charges billed to CCC must be supported by a paid bill from the gin or other warehouseman identifying the bales compressed by bale number and bearing a signed certification as follows:

I hereby certify that I have collected from

(Name of warehouseman)

compression charges on the individual bales designated above at the rate of $_____ per bale, and that such charges have not been and will not be collected from producers or others. I further certify that the compression charge per bale, as stated, does not exceed that which I charge all other customers for compression service on other cotton, and that the compression charges listed herein as collected have not been and will not be refunded, rebated, nor allowed as a credit against any other service performed. I also certify to my understanding that these statements are made for the purpose of inducing Commodity Credit Corporation to disburse funds to the warehouseman named.

The warehouseman agrees to furnish to CCC on request a signed copy of the contract with the gin or other warehouseman under which such compression service was performed. Charges for the compression of cotton will be paid by CCC only if the charges have not been paid by the producer and if the cotton is shipped from the warehouse by CCC. The warehouseman, if he operates compress facilities at the warehouse in which the cotton is stored, may compress loan cotton to standard density with eight bands and no patch at any time while in storage and the charge for such compression shall follow the cotton. All other charges on cotton, including flat delivery charges on cotton moved without payment of compression charges from a warehouse operating compress facilities, will be at the rates provided in the warehouseman's established tariff in effect at the time the service is ordered performed: *Provided,* That no charge may be made with respect to the cotton that is not applicable to cotton other than CCC loan cotton stored by the warehouseman: *And provided further,* That in no event shall a service charge or charges for receiving, tagging, weighing, sampling on arrival, or storage of samples, be collected from CCC or a subsequent holder of the warehouse receipts. No charge for standard density compression or for delivery or outhandling, except as provided in this section, will be paid with respect to cotton received by the warehouseman which has been compressed to standard density either by a gin (gin compress bale) or by another warehouseman. No charge of any kind whatsoever will be paid with respect to any of the cotton compressed to high density without the written authority of CCC. The warehouseman shall execute and submit to CCC with each voucher for amounts payable by CCC under this agreement the following certificate:

I further certify that, since the cotton covered by this voucher was received at the warehouse, there has been removed from such cotton only that amount of cotton necessary to secure representative samples, to properly trim the sample holes, or to otherwise maintain the cotton in the interest of good housekeeping and fire prevention incidental to the handling, storage, or compressing of said cotton except for reconditioning of damaged cotton; and that since issuance of warehouse receipts thereon, such cotton has not been reconditioned, picked, or cleaned by blowing or brushing except as noted on report attached hereto or to a previous voucher covering such cotton; and that neither the warehouseman nor any officer or employee

of the warehouseman has purchased or otherwise obtained any producer's interest in cotton stored in the warehouse by means of a Release of Warehouse Receipts (Form CCC Cotton AA) which has not been mailed or presented to Commodity Credit Corporation within 15 days after the date of issuance by the county office. If this voucher covers quarterly storage charges on non-insured cotton, I also certify for purposes of receiving payment for such storage charges that the bale balances as stated in our Reports of Daily Transactions from which this voucher was prepared are true and correct and represent cotton actually in storage on the dates specified in such reports.

The warehouseman shall store the cotton within a structure in such a manner that the cotton is adequately protected from weather damage. The rates quoted herein will remain in effect through July 31, 1963, and thereafter will remain in effect until terminated by CCC or the warehouseman giving the other at least 30 days' prior notice of its election to terminate (such notice may be given at any time after June 30, 1963), or until another storage agreement between the warehouseman and CCC covering the cotton becomes effective, whichever is earlier. If the cotton is redeemed from the loan or the cotton is sold by CCC, the storage rates provided in this section shall be applicable for storage services rendered up to and including the date of such redemption or sale, and the warehouseman shall not charge the holders of the warehouse receipts representing such cotton for such storage services an amount in excess of that computed in accordance with this section.

§ 427.1321 Loans on order bills of lading.

(a) Loans on cotton represented by order bills of lading will be available only in areas and during the periods specified by the New Orleans office where there is a shortage of storage space and where the necessary arrangements for handling the cotton may be made.

(b) Cotton represented by order bills of lading will be eligible for a loan only when it is shipped by an approved receiving agency as agent for the producer. Warehousemen, ginners, and other responsible parties in areas where such loans are available may be approved to act as receiving agencies by the New Orleans office. Receiving agencies will enter into Receiving Agency Agreements with CCC. When receiving agencies are approved, notifications will be given by letter or published lists.

(c) A producer in any such area who is unable to find storage space in his local area and who wishes to obtain such a loan should deliver his cotton to a receiving agency with the request that it ship the cotton as agent for the producer, in accordance with shipping instructions furnished by CCC, to a warehouse where storage space is available. The receiving agency will complete the Schedule of Pledged Cotton on a Form A. If the receiving agency is not a warehouseman, it will have the cotton weighed by a public or licensed weigher and will secure a Weight and Condition Certificate in the form prescribed by CCC and execute the Receiving Agency's Certificate. The receiving agency will ship the cotton, secure order bills of lading in a form acceptable to CCC, and deliver to the producer the bills of lading, together with the Form A and Weight and Condition Certificates (if any). If the receiving agency is a warehouseman, it will be permitted to collect fees in accordance with § 427.1320 and a fee of not to exceed 10 cents per bale to cover the costs of preparation of shipping documents. If the receiving agency is not a warehouseman, it will, for the purpose of payment of gin compression only, be considered as a warehouseman and will be permitted to collect from CCC charges for gin compression as provided in § 427.1320 and will be permitted to collect from producers a fee not in excess of the fee set forth in the Receiving Agency Agreement executed by the receiving agency, and shall post in a conspicuous place a notice showing the fee to be charged producers. Loans will be made at the full loan rate at the point where the receiving agency receives the cotton. CCC will pay warehouse storage charges on cotton tendered by the producer for a loan under this section if the receiving agency is a warehouseman.

§ 427.1322 Loans on cotton to be reconcentrated.

Loans on cotton to be reconcentrated will be available only on cotton stored at warehouses approved by the New Orleans office in areas where there is congestion and lack of storage space. The warehouseman will enter into Reconcentration Agreements (Form CCC Cotton 29) with CCC. Warehouse receipts covering cotton to be reconcentrated under a Reconcentration Agreement must be in a form acceptable to CCC and must provide for delivery of the cotton to the order of CCC. Block warehouse receipts covering cotton to be reconcentrated under a Reconcentration Agreement will be accepted. A producer who desires to obtain a loan in this manner should request the warehouseman to issue a warehouse receipt to him in the form specified above and must furnish written authorization to the warehouseman for the reconcentration of the cotton after which the warehouseman will ship the cotton. The Forms A and warehouse receipts covering cotton to be reconcentrated under a Reconcentration Agreement must show the reconcentration order number under which the cotton will be shipped. The producer will obtain a loan on these documents in the usual manner, and after receipt of the loan documents, CCC will surrender the warehouse receipts to the warehouseman.

§ 427.1323 Tender of Forms A by lending agencies.

Forms A evidencing loans disbursed by a lending agency, which has entered into a Form D agreement prior to disbursing the loans, shall be tendered to CCC at the New Orleans office on Form C, accompanied by warehouse receipts, order bills of lading, or other documents specified by the New Orleans office, classification memorandums, and any other documents required to be delivered by the producers in connection with the loans as set forth in § 427.1308, within 15 days after the dates of disbursement of the loans except where later tender is approved by the New Orleans office. Forms A may be tendered directly to CCC at the New Orleans office or through other approved lending agencies. Separate Forms C shall be used for upland and each type of extra long staple cotton, for Forms A secured by warehouse receipts (nonreconcentrated cotton), for Forms A secured by warehouse receipts (reconcentrated cotton), for Forms A secured by order bills of lading, and for Forms A executed under powers of attorney. Each Form C shall state whether the lending agency desires CCC to effect settlement by cash payment or by a certificate of interest. Upon receipt of the loan documents by the New Orleans office, they will be examined and, if found acceptable, will be settled for by cash payment or by issuance of a certificate of interest, as directed by the lending agency, except that certificates of interest will be issued only to commercial banks. If a certificate of interest is issued, the Forms A will be placed in a pool, and the certificate shall represent an interest in the pool. Lending agencies which have previously been approved by CCC as eligible to draw drafts on CCC may, subject to such instructions and requirements as CCC may hereafter from time to time prescribe, obtain immediate advance payment for Forms A they tender to CCC by drawing sight drafts with enclosed Forms C on CCC through a Federal Reserve bank or branch bank approved by CCC. Forms A covered by such drafts must be immediately submitted to the New Orleans office.

§ 427.1324 Loss or damage to pledged cotton.

In any case where there is loss or damage to cotton which occurs while such cotton is pledged to CCC, CCC shall have the right to determine and file claims against any liable parties for the resulting loss. Upon determination of the quantity of the lost or damaged cotton securing a loan, CCC will give credit for the loan value (including charges and interest) of such cotton. If the proceeds of the claim exceed the loan value of such cotton, the excess proceeds shall be remitted to the producer or, if the loan has been repaid, to the party repaying the loan.

§ 427.1325 Transfer of producer's interest.

If a producer desires to sell his equity in upland or extra long staple cotton pledged as security for a loan, he must use a Release of Warehouse Receipts (Form CCC Cotton AA, referred to in this subpart as "Form AA"). Such form may be obtained only from the county office in the county in which the cotton was produced. A producer who desires to appoint an attorney-in-fact to act in his place and stead in selling his equity in loan cotton to another shall use Power of Attorney (Form CCC–819, referred to in this subpart as "Fom 819") which must be filed with the New Orleans office and an executed copy filed with the applicable county office. To obtain the

Form AA, the producer may take his copy of the Form A to the applicable county office, or he may request the applicable county office by telephone or by written communication to transmit a validated Form AA to him or a person designated by him. In the event the "Producer's Copy" of the Form A has been lost or destroyed, he may obtain a duplicate from the New Orleans office.

(a) If the producer presents his copy of the Form A to the county office, the county office shall prepare the Form AA in accordance with the producer's designation of the bales of cotton to be covered by the Form AA. After the designated bales are entered in the Schedule of Cotton on the Form AA, the county office shall line through the corresponding warehouse receipt numbers that appear on the "Producer's Copy" of the Form A to show that the warehouse receipts representing such bales of cotton are being sold by the producer. No warehouse receipt number shall be entered on the Form AA by the county office unless it appears on the "Producer's Copy" of the Form A and is not shown on this form as having been previously sold or redeemed by the producer. The producer must designate the person to whom he is transferring his remaining interest in the cotton and sign and date the Producer's Equity Transfer Agreement in the spaces provided on the Form AA.

(b) If the producer requests the county office by telephone or by written communication to transmit a validated Form AA to him or a person designated by him, the county office shall enter the name of the producer requesting the Form AA in the space provided on the form. After the date of the issuance of the form has been entered by the county office and the signature and the title of the county office employee validating the Form AA has been entered on the form, the county office shall promptly transmit the validated Form AA to the producer or the person designated by him. The Form AA shall be prepared by the producer or someone acting for him in accordance with instructions on the reverse of the Form AA.

(c) If the equity purchaser fails to complete the Redemption Request on the Form AA and present or mail the form to CCC, in care of the New Orelans office, within 15 days after the date of issuance of the Form AA by the county office, the equity transfer will be void. It shall be the responsibility of the equity purchaser to see that all necessary entries have been made on the Form AA. Upon receipt of the Form AA, the New Orleans office will forward the warehouse receipts to the bank designated by the person who has signed the Redemption Request with directions to the bank to release the warehouse receipts to such person upon payment of the loan value of the cotton plus applicable charges and interest. Banks may accept valid Cotton Export Payment Certificates (Form CCC–840, referred to in this subpart as "Form 840") issued under the cotton export program in payment of all or part of the amount due on CCC loans on upland cotton. If payment is not effected within 5 business days after the date warehouse receipts are received by the bank or prior to the time at which the loan matures and CCC acquires the cotton, whichever is earlier, the equity transfer will be void, and the bank will return the warehouse receipts to the New Orleans office. Repayments will not be accepted after CCC acquires the cotton. All charges assessed by the bank to which the warehouse receipts are sent must be paid by the person redeeming the cotton.

§ 427.1326 Repayment by producer.

If a producer desires to redeem one or more bales of cotton pledged to CCC as security for a note, he must use a Form AA which may be obtained only from the county office in the county in which the cotton was produced. A producer who desires to appoint an attorney-in-fact to act in his place and stead to redeem his loan cotton shall use Form 819 which must be filed with the New Orleans office and an executed copy filed with the applicable county office. To obtain the Form AA, the producer may take his copy of the Form A to the applicable county office, or he may request the applicable county office by telephone or by written communication to transmit a validated Form AA to him or a person designated by him. In the event the "Producer's Copy" of the Form A has been lost or destroyed, he may obtain a duplicate from the New Orleans office.

(a) If the producer presents his copy of the Form A to the county office, the county office shall prepare the Form AA in accordance with the producer's designation of the bales of cotton to be redeemed. After the bales to be redeemed are entered in the Schedule of Cotton on the Form AA, the county office shall line through the corresponding warehouse receipt numbers that appear on the "Producer's Copy" of the Form A to show that the warehouse receipts representing such bales of cotton are being redeemed by the producer. No warehouse receipt number shall be entered on the Form AA by the county office, unless it appears on the "Producer's Copy" of the Form A and is not shown on this form as having been previously sold or redeemed by the producer. The producer must designate the bank to which the warehouse receipts are to be forwarded and must sign and date the Redemption Request in the spaces provided on Form AA.

(b) If the producer requests the county office by telephone or by written communication to transmit a validated Form AA to him or a person designated by him for use by him in the redemption of his cotton, the county office shall enter the name of the producer requesting the Form AA in the space provided on the form. After the date of the issuance of the form has been entered by the county office and the signature and title of the county office employee validating the Form AA have been entered on the form, the county office shall promptly transmit the validated Form AA to the producer or the person designated by him. The Form AA shall be prepared by the producer or someone acting for him in accordance with instructions on the reverse of the Form AA.

(c) The producer must complete the Redemption Request on the Form AA and present or mail the form to CCC, in care of the New Orleans office, within 15 days after the date of the issuance of the Form AA by the county office. It shall be the responsibility of the producer to see that all necessary entries have been made on the Form AA. Upon receipt of the Form AA, the New Orleans office will forward the warehouse receipts to a bank designated by the producer with directions to the bank to release the warehouse receipts to the producer upon payment of the loan value of the cotton plus applicable charges and interest. Banks may accept valid Forms 840 issued under the cotton export program in payment of all or part of the amount due on CCC loans on upland cotton. In all cases, the banks will be instructed to return the warehouse receipts to the New Orleans office if payment is not effected within 5 business days after the date the receipts are received by the bank or prior to the time at which the loan matures and CCC acquires the cotton, whichever is the earlier. Repayments will not be accepted after CCC acquires the cotton. All charges assessed by the bank to which the warehouse receipts are sent must be paid by the person redeeming the cotton.

§ 427.1327 Cotton cooperative marketing association loans.

A special form of loan agreement will be made available to cotton cooperative marketing associations which satisfy the requirements of this section. Under this agreement, members of such associations may act collectively in obtaining loans. The loan rates under this agreement will be the same as the loan rates to individual producers, and eligibility requirements with respect to the cotton and the producers tendering the cotton to the association and other loan provisions will be substantially the same as for loans to individual producers. Members desiring to obtain loans from their associations should contact their associations. Each association must meet the following requirements:

(a) Each association must be organized for the purpose of marketing cotton in accordance with the provisions of the Capper-Volstead Act.

(b) Each association shall be financially able to make loans to its producer-members and market their cotton in accordance with the provisions of the 1962 Cotton Cooperative Loan Agreement.

(c) Each association shall enter into marketing agreements with its members which give the association the authority to pledge the cotton to and otherwise handle it with CCC.

(d) Each association shall have a cotton marketing organization to sell its producer-members' cotton.

(e) Each association shall have a sales manager employed on an annual basis.

(f) The sales manager of each association must not have any connection whatever with any firm (other than the association) interested in buying and selling cotton.

§ 427.1328 Custodial offices.

All notes will remain in the custody of the New Orleans office until they are repaid or until the maturity date of the notes, whichever is earlier.

§ 427.1329 Schedule of premiums and discounts for upland cotton (basis 1-inch Middling) and loan rates for extra long staple cotton.

(a) Premiums and discounts for eligible qualities of 1962-crop American upland cotton (basis 1-inch Middling).

Grade	Staple length (inches)													
	13/16	7/8	29/32	15/16	31/32	1	1 1/32	1 1/16	1 3/32	1 1/8	1 5/32	1 3/16	1 7/32	1 1/4 and Longer
White	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*	*Pts.*
GM and better	−215	−175	−125	−70	−5	65	140	200	245	310	380	470	570	635
SM	−225	−185	−135	−80	−15	55	130	185	230	295	365	450	550	615
Mid plus	−250	−210	−160	−105	−45	25	100	155	200	265	335	420	500	565
Mid	−270	−230	−180	−125	−65	Base	75	130	175	235	305	375	440	505
SLM plus	−330	−290	−245	−200	−145	−80	−15	35	70	110	145	190	235	280
SLM	−370	−335	−290	−245	−200	−140	−80	−30	----------	30	60	95	130	165
LM plus	−430	−390	−355	−315	−265	−215	−170	−145	−130	−115	−95	−75	−55	−33
LM	−480	−440	−405	−360	−315	−265	−225	−200	−190	−180	−175	−175	−175	−175
SGO plus	−555	−515	−480	−440	−400	−350	−320	−305	−305	−305	−305	−305	−305	−305
SGO	−605	−570	−530	−490	−450	−400	−370	−360	−360	−360	−360	−360	−360	−360
GO plus	−675	−640	−605	−570	−535	−495	−470	−465	−465	−465	−465	−465	−465	−465
GO	−725	−685	−650	−615	−585	−550	−520	−515	−515	−515	−515	−515	−515	−515
Light spotted														
GM	−295	−255	−215	−165	−110	−50	15	60	90	130	185	230	300	375
SM	−310	−270	−230	−180	−130	−70	−5	40	70	110	165	210	280	355
Mid	−365	−325	−290	−245	−200	−145	−95	−50	−20	10	50	95	145	200
SLM	−455	−415	−385	−345	−300	−260	−220	−195	−180	−165	−150	−135	−125	−115
LM	−570	−535	−500	−465	−425	−385	−355	−340	−340	−335	−335	−335	−335	−335
Spotted														
GM	−405	−370	−330	−285	−245	−205	−165	−135	−110	−75	−35	15	65	125
SM	−425	−385	−350	−305	−265	−225	−185	−155	−130	−95	−55	−20	20	65
Mid	−500	−465	−430	−390	−350	−315	−285	−265	−250	−230	−210	−190	−170	−155
SLM	−590	−550	−515	−475	−440	−415	−390	−380	−370	−360	−355	−355	−355	−355
LM	−695	−655	−625	−590	−560	−535	−510	−505	−505	−505	−505	−505	−505	−505
Tinged														
GM	−595	−555	−525	−490	−460	−430	−415	−410	−405	−400	−395	−390	−385	−370
SM	−610	−575	−545	−510	−480	−450	−435	−430	−425	−420	−420	−415	−410	−400
Mid	−665	−630	−595	−565	−535	−510	−500	−495	−495	−495	−495	−495	−495	−495
SLM	−770	−735	−705	−670	−640	−620	−610	−610	−605	−605	−605	−605	−605	−605
LM	−905	−870	−840	−805	−780	−755	−745	−745	−745	−745	−745	−745	−745	−745
Yellow stained														
GM	−760	−725	−700	−670	−650	−630	−625	−620	−620	−620	−620	−620	−620	−620
SM	−780	−745	−715	−690	−665	−650	−640	−640	−640	−640	−640	−640	−640	−640
Mid	−840	−805	−780	−750	−725	−710	−705	−705	−705	−705	−705	−705	−705	−705
Light gray														
GM	−325	−290	−245	−195	−140	−85	−25	15	45	75	100	130	180	250
SM	−365	−330	−290	−240	−190	−130	−85	−35	−10	10	40	65	100	155
Mid	−455	−420	−380	−330	−285	−235	−195	−165	−150	−125	−95	−65	−35	----------
SLM	−595	−555	−515	−470	−425	−380	−345	−320	−305	−290	−270	−250	−225	−200
Gray														
GM	−470	−435	−390	−340	−290	−235	−190	−160	−140	−120	−90	−50	−10	40
SM	−510	−475	−440	−390	−340	−285	−245	−215	−200	−180	−155	−130	−95	−60
Mid	−620	−585	−545	−500	−455	−405	−370	−350	−340	−330	−315	−300	−290	−275
SLM	−755	−720	−685	−640	−595	−550	−515	−500	−490	−480	−475	−475	−475	−475

Grade symbols: GM—Good Middling; SM—Strict Middling; Mid—Middling; SLM—Strict Low Middling; LM—Low Middling; SGO—Strict Good Ordinary; GO—Good Ordinary.

(b) Schedule of minimum loan rates (in cents per pound, net weight) for eligible qualities of 1962-crop extra long staple cotton.

(1) American-Egyptian cotton.

Grade	Staple length (inches)					
	1 3/8		1 7/16		1 1/2 and Longer	
	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas
1	54.10	54.50	55.30	55.70	55.60	56.00
2	53.70	54.10	54.90	55.30	55.20	55.60
3	53.20	53.60	54.10	54.50	54.40	54.80
4	52.15	52.55	52.95	53.35	53.15	53.55
5	49.40	49.80	50.30	50.70	50.50	50.90
6	45.30	45.70	46.00	46.40	46.15	46.55
7	42.35	42.75	42.95	43.35	43.10	43.50
8	38.90	39.30	39.45	39.85	39.65	40.05
9	35.55	35.95	36.20	36.60	36.40	36.80

(2) Sea Island cotton.

Grade	Staple length (inches)		
	1 3/8	1 7/16	1/2 and longer
1	51.50	52.55	52.80
1 1/2	51.10	52.20	52.45
2	50.60	51.45	51.70
2 1/2	49.60	50.35	50.55
3	47.00	47.85	48.00
3 1/2	43.10	43.75	43.95
4	40.30	40.90	41.00
4 1/2	37.05	37.55	37.75
5	33.90	34.50	34.65

(3) Sealand cotton.

Grade	Staple length (inches)		
	1 3/8	1 7/16	1 1/2 and longer
1	46.15	47.10	47.30
1 1/2	45.80	46.80	47.00
2	45.35	46.10	46.35
2 1/2	44.45	45.15	45.30
3	42.10	42.90	43.05
3 1/2	38.65	39.20	39.35
4	36.15	36.65	36.75
4 1/2	33.20	33.65	33.85
5	30.35	30.90	31.05

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

Signed at Washington, D.C., on July 5, 1962.

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

[F.R. Doc. 62-6742; Filed, July 10, 1962; 8:45 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 2]

PART 711—MARKETING QUOTA REVIEW REGULATIONS

Miscellaneous Amendment

The amendment contained herein is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purpose of this amendment is to clarify the procedure for administering the oath to a witness before the review committee. Since this is a clarification of a procedural point, it is hereby determined that compliance with the notice, public procedure and effective date provisions 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 this amendment shall become effective upon filing of this document with the Director, Office of the Federal Register.

Section 711.21(e) of the Marketing Quota Review Regulations (26 F.R. 10204, 27 F.R. 4831) is hereby amended to read as follows:

(e) *Submission of evidence.* The burden of proof shall be upon the applicant as to all issues of fact raised by him. Each witness shall testify under oath or affirmation administered by the member of the review committee who is presiding at the hearing. The review committee shall confine the evidence to pertinent matters and shall exclude irrelevant, immaterial, or unduly repetitious evidence. Interested persons shall be permitted to present oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. The hearing shall be concluded within such reasonable time as may be determined by the review committee.

(Secs. 363-368, 52 Stat. 63, 64, as amended, 375, 52 Stat. 66, as amended; 7 U.S.C. 1363-1368, 1375; 43 Stat. 803, 5 U.S.C. 521)

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

Signed at Washington, D.C., on July 5, 1962.

JOHN P. DUNCAN, Jr.,
Acting Secretary.

[F.R. Doc. 62-6740; Filed, July 10, 1962; 8:45 a.m.]

Chapter X—Agricultural Stabilization and Conservation Service (Marketing Agreements and Orders), Department of Agriculture

[Milk Order No. 132]

PART 1132—MILK IN TEXAS PANHANDLE MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Texas Panhandle marketing area (7 CFR Part 1132), it is hereby found and determined that:

(a) The following provision of the order, no longer tends to effectuate the declared policy of the Act during the months of July and August, 1962: "On not more than 15 days" in paragraph (b)(2) of § 1132.7.

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

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

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

(3) This suspension action was requested by cooperative associations whose members supply more than ninety percent of the milk for the market.

(4) This suspension action is generally supported by handlers in the marketing area.

This action will permit the economic movement of milk in excess of fluid milk requirements to surplus disposal facilities during the months of July and August, 1962, and at the same time preserve producer status for dairy farmers who normally supply the market. The cooperative association anticipates that after the month of August 1962, the demand situation will improve to the extent that the 15-day limitation will provide adequate diversion for producer milk.

Therefore, good cause exists for making this order effective July 1, 1962.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the months of July and August 1962.

Effective date: July 1, 1962.

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

Signed at Washington, D.C., on July 6, 1962.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 62-6760; Filed, July 10, 1962; 8:54 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 1—INVESTMENT SECURITIES REGULATION

Eligibility of Specific Bond Issues for Purchase by National Banks

Part 1, Chapter 1, Title 12, of the Code of Federal Regulations of the United States of America is hereby amended by adding immediately after § 1.4 an undesignated centerhead, by revising the headnote of § 1.5 and by adding new §§ 1.9 and 1.10 as follows:

ELIGIBILITY OF SPECIFIC BOND ISSUES FOR PURCHASE BY NATIONAL BANKS

§ 1.5 Miscellaneous rulings.

* * * * *

§ 1.9 Commonwealth of Kentucky, Department of Parks.

(a) *Opinion.* (1) Request has been made of the Comptroller of the Currency for a ruling whether the $9,900,000 State Property and Buildings Commission of the Commonwealth of Kentucky Department of Parks Revenue Bonds, Series 1962, are eligible for investment by national banks.

(2) It is proposed to issue $9,900,000 of revenue bonds to finance construction of lodges, cottages, dining facilities and necessary appurtenances thereto in certain of the Commonwealth's parks.

(3) The bonds will be due serially beginning with an amount of $160,000 on April 1, 1964, and increasing yearly until the final maturity date of April 1, 1992, when $622,000 will be due. The coupon has not been decided upon. Bonds maturing after April 1, 1972, will be subject to redemption at certain prices set forth in the Official Statement.

(4) The bonds are being issued by the State Property and Buildings Commission on behalf of the Department of Parks pursuant to the provisions of sections 58.010 to 58.140 inclusive of Kentucky Revised Statutes, as permitted and provided by section 56.450 KRS and a resolution adopted by the Commission and approved by the Department on March 22, 1962. The bonds will be secured pursuant to the terms of the resolution, whereunder the Citizens Fidelity Bank and Trust Company, Louisville, Kentucky, is named as Trustee for the holders of the bonds for the purpose of securing the payment of both principal and interest on the bonds and to secure

the faithful performance of the covenants and provisions contained in the resolution.

(5) The bonds are payable from and constitute a first lien upon the gross revenues to be derived from all revenue-producing facilities presently located in the State Parks System or presently operated by the Department and all revenue-producing facilities hereafter constricted, acquired or operated by the Department.

(6) The Department is empowered by section 148.030 KRS to unite into one project for financing purposes all or as many parks, and the improvements thereon, or to be constructed, enlarged or improved, as it deems practicable, so that the fee and charges and other revenue or receipts from every source whatsoever from the parks thus united shall be used for the payment of the principal and interest of all bonds which may be issued. The lien of the bonds for such united project shall be a lien on the gross income and revenue of all of the parks thus united.

(7) The bonds are additionally secured by the obligation of the Commission and the Department to levy an entrance fee subject to certain conditions.

(8) The anticipated revenues and State appropriations appear to be sufficient to provide adequate debt service. The outstanding feature underlying this issue is the ability of the Department to charge an entrance fee if certain conditions occur. Inasmuch as the Department does not presently charge an entrance fee and the present gross revenues of the Department amply cover estimated Debt Service, the covenant to charge such entrance fee adds additional and supplementary security to the bonds.

(b) *Ruling.* We conclude that the subject bonds are eligible for investment by national banks, within the limitations of Paragraph Seventh of section 5136 of the Revised Statutes (12 U.S.C. 24).

§ 1.10 City of Kansas City, Missouri.

(a) *Opinion.* (1) Request has been made of the Comptroller of the Currency for a ruling whether the $18,700,000 City of Kansas City, Missouri, 4¼ percent Airport Revenue Bonds, dated July 1, 1954, are eligible for investment by national banks.

(2) On February 21, 1955, this Office ruled that subject bonds would not be eligible for investment by national banks. Since that date, we have reaffirmed our position several times, the most recent being in December 1959. We have been requested again to re-examine our position relative to these bonds.

(3) The bonds are not general obligations of the city, but are special revenue obligations payable from revenues derived by the city from certain rentals to be paid by Trans World Airlines, Inc. to the city under the provisions of a lease and agreement between the city and the company.

(4) The bonds were issued on July 1, 1954, with interest capitalized until June 30, 1957. The facilities for TWA were completed by January 1, 1957, and the company has been paying the required rental since that date. Payments into the sinking fund from rentals received will be used for the payment of serial bonds and the ultimate retirement of the term bonds.

(5) Rentals received from TWA from January 1, 1957, to April 30, 1961, the date of the latest fiscal report of Kansas City, total $5,557,000, which when added to total occupancy permit fees received from TWA from July 1, 1954, to December 31, 1956, of $370,000, aggregate $5,927,000. Interest and fiscal fees on revenue bonds from July 1, 1954, to April 30, 1961, amounted to $5,173,000. The rentals paid for this period were sufficient to provide for the required debt service.

(6) A review of the earnings for the year ending April 30, 1961, reveals that net operating income was 2.19 times the debt service required for the same period. The debt service amounted to $794,750 for this period and the same amount will be required for the period ending in 1962. The first of the serial maturities takes place on July 1, 1962, in the amount of $400,000. Using the earnings figures for the year ending April 30, 1961, this total debt service for 1962 of $1,187,000 is covered 1.47 times.

(7) It should be noted that city ordinance authorizing the bonds required that at July 1, 1962, the Reserve Account have a minimum balance of $2,250,000. The balance at April 30, 1961, was $2,600,000, which is the maximum reserve amount required by the ordinance. This reserve account was built up by rentals collected in excess of debt service charges. Hereafter, all rentals over and above debt service charges will be paid to a sinking fund and applied to purchase or redemption of bonds. It was originally estimated that by the end of the fiscal period in 1962 there would be $180,000 in the sinking fund. However, the figures for the fiscal year ending 1961 showed a balance in the sinking fund of $166,000.

(8) The ordinance also required the establishment of a guarantee fund of $500,000, which has been attained. Another reserve called the operating fund has been established, as required by the ordinance. This fund is to be held for estimated operating expenses of the city's airports for a period of six months in advance. This fund now totals $351,000, while the total operating expenses for the year ending April 30, 1961, amounted to $576,000. In addition there is also a construction fund for extending, constructing, or making general improvements to the airport, which amounts to $939,000.

(9) These various funds have been built by the excess amounts of rental payments not required for debt services. This fact indicates that the revenue bonds are supported by properly managed operations and finances which are now in a position to cover debt services adequately. However, the strength of the issue lies in the ability of TWA to provide adequate rentals which will ultimately liquidate the issue.

(10) TWA is a subsidiary of Hughes Tool Company, Houston, Texas, which is engaged as a manufacturer of oil-well tools; the production and distribution of motion pictures; and in the manufacture of certain aircraft fuselage parts. As of December 31, 1960, it showed a net worth of $253,800,000, with an important part of the net worth being made up by its investment in TWA.

(11) TWA is a leading airline and is the only United States air carrier authorized to provide service on a scheduled basis on both a transcontinental and transatlantic route system. Principal operations base is located on leased property at Kansas City Municipal Airport, Kansas City, Missouri, and its principal overhaul base is located on leased property at the Mid-Continental International Airport, Kansas City, Missouri. The aggregate annual rental under such leases in effect at March 1, 1961, was approximately $6,250,000. TWA had lease agreements with three other airports besides Kansas City.

(12) TWA showed good earnings in 1959 and 1960; however, substantial losses have been reported for 1961. The company has incurred a heavy debt in its program of fleet modernization. We have no year-end figures at the present time; however, for nine months ending September 30, 1961, TWA reported total operating revenues were $290,000,000 and a net loss of $12,700,000 as compared to the same period in 1960, when total operating revenues were $290,000,000 and net earnings were $6,100,000. As of September 30, 1961, TWA has cash of $17,600,000 and U.S. securities of $15,900,000, current liabilities of $98,800,000 and a long-term debt of $286,500,000. The latter figure is up from $84,900,000 of a year ago, reflecting additional long-term borrowings in connection with fleet modernization. In this connection, TWA's net investment in property and equipment of September 30, 1961, was $315,600,000 as compared to $204,900,000 the previous year. Tangible net worth of TWA at December 31, 1960, was $124,700,000.

(13) The financial structure in back of the subject bonds has improved to a degree that indicates that the rental payments from now on should be sufficient to cover debt service and provide a margin of safety as well. The financial stability of TWA is believed to be sufficient to provide the necessary rental payments to service the bonds.

(b) *Ruling.* We conclude that the subject bonds are eligible for investment by national banks, within the limitations of Paragraph Seventh of section 5136 of the Revised Statutes (12 U.S.C. 24).

Dated: July 5, 1962.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 62-6751; Filed, July 10, 1962; 8:53 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 62-SO-11]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Revocation and Designation of Federal Airways and Associated Control Areas

On April 13, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 3562) stating that the Federal Aviation Agency proposed to take the following actions:

1. Revoke VOR Federal airway No. 159 west alternate from West Palm Beach, Fla., to Orlando, Fla.

2. Revoke VOR Federal airway No. 293 in its entirety.

3. Designate VOR Federal airway No. 492 from St. Petersburg, Fla., to West Palm Beach, Fla., including a north and south alternate.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

§ 600.6159 [Amendment]

1. In the text of § 600.6159 (14 CFR 600.6159) "West Palm Beach VOR 219° radials; West Palm Beach, Fla., VOR; Vero Beach, Fla., VOR; Orlando, Fla., VOR including an E alternate from the Vero Beach VOR to the Orlando VOR via the INT of the Vero Beach VOR 342° and the Orlando VOR 123° radials and also a W alternate from the West Palm Beach VOR to the Orlando VOR via the INT of the West Palm Beach VOR 314° and the Orlando VOR 162° radials;" is deleted and "West Palm Beach, Fla., VORTAC 219° radials; West Palm Beach VORTAC; Vero Beach, Fla., VOR; Orlando, Fla., VOR including an E alternate from the Vero Beach VOR to the Orlando VOR via the INT of the Vero Beach VOR 342° and the Orlando VOR 123° radials;" is substituted therefor.

2. In Part 600 (14 CFR Part 600) the following section is revoked:

§ 600.6293 VOR Federal airway No. 293 (West Palm Beach, Fla., to St. Petersburg, Fla.). [Revoked]

3. In Part 600 (14 CFR Part 600) the following section is added:

§ 600.6492 VOR Federal airway No. 492 St. Petersburg, Fla., to West Palm Beach, Fla.).

From the St. Petersburg, Fla., VORTAC via the La Belle, Fla., VOR; Pahokee, Fla., VORTAC; to the West Palm Beach, Fla., VORTAC including a N alternate from the La Belle VOR to the West Palm Beach VORTAC via the INT of the La Belle VOR 043° and the West Palm Beach VORTAC 314° radials and also a S alternate from the La Belle VOR to the West Palm Beach VORTAC via the INT of the La Belle VOR 112° and the West Palm Beach VORTAC 266° radials, excluding the airspace between the main airway and the north alternate.

4. In Part 601 (14 CFR Part 601) the following section is deleted:

§ 601.6293 VOR Federal airway No. 293 control areas (West Palm Beach, Fla., to St. Petersburg, Fla.) [Deleted]

5. In Part 601 (14 CFR 601) the following section is added:

§ 601.6492 VOR Federal airway No. 492 control areas (St. Petersburg, Fla., to West Palm Beach, Fla.).

All of VOR Federal airway No. 492 including a N and S alternate.

These amendments will become effective 0001 e.s.t., September 20, 1962.

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

Issued in Washington, D.C., on July 5, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-6721; Filed, July 10, 1962; 8:48 a.m.]

[Airspace Docket No. 62-SW-24]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

PART 608—SPECIAL USE AIRSPACE

Alteration of Restricted Area, Federal Airways, Control Area Extension, Continental Control Area and Designation of Transition Area

The purpose of these amendments to §§ 608.51, 600.6094, 600.6019, 600.1540, 600.1543, 601.1171, 601.10053, and 601.7101 is to alter and subdivide the White Sands Proving Grounds, N. Mex., Restricted Area R-5107; alter VOR Federal airways No. 94, No. 19, No. 1540 and No. 1543; designate the El Paso, Texas, transition area; alter the El Paso control area extension and include portions of this restricted area in the continental control area.

This is one of a series of airspace actions taken as the result of a recent special airspace review by the Federal Aviation Agency conducted for the purpose of promoting safety of flight and more efficient utilization of the airspace in the R-5103, R-5106, R-5107, R-5108, and R-5109 restricted areas of the McGregor, Orogrande and White Sands Proving Grounds, N. Mex., Complex.

A portion of the current Restricted Area R-5107 south of latitude 36°05'00" N. is revoked to release airspace required in the El Paso terminal area for air traffic control purposes. In revoking this portion of R-5107, the "bottleneck" existing in the El Paso terminal area is eased considerably and a more efficient alignment of VOR Federal airways No. 19, No. 94, No. 1540 and No. 1543 is provided. Reduction of the widths of Victors 1540 and 1543 west of the Newman VOR and the reduction of the width of Victor 1540 east of the Newman VOR will permit simultaneous use of R-5107A and R-5103A and these intermediate altitude airways. The expansion of the width of VOR airway No. 19 south of Truth or Consequences along the Truth or Consequences VOR 159° radial will provide protection to aircraft while operating along the airway more than 45 nautical miles from the Truth or Consequences VOR.

The remaining portion of R-5107 is subdivided into three areas, namely R-5107A, R-5107B and R-5107C, to obtain greater utilization of this airspace. R-5107A is added to the continental control area for joint use with the El Paso ARTC Center as the controlling agency. R-5107C is added to the continental control area for joint use with the Albuquerque ARTC Center as the controlling agency.

A transition area extending upward from 1,200 feet above the surface is designated to encompass in one area a portion of R-5107A and also a portion of the McGregor, N. Mex., Restricted Area R-5103A for El Paso terminal air traffic control purposes. The designation of R-5103A is contained in Airspace Docket No. 62-SW-25 effective coincident with this action. In addition, action is taken herein to revoke the portion of the El Paso control area extension § 601.1171 which coincides with the El Paso transition area proposed herein.

Since certain amendments herein are less restrictive in nature than present requirements and others are minor in nature and impose no additional burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

§ 608.51 [Amendment]

1. In § 608.51 (14 CFR 608.51) the following changes are made:

a. R-5107 White Sands Proving Grounds, N. Mex., is revoked.

b. R-5107A White Sands Proving Grounds, N. Mex., is added to read:

R-5107A White Sands Proving Grounds, N. Mex.

Boundaries. Beginning at latitude 32°25'-00" N., longitude 106°06'00" W.; to latitude 32°05'00" N., longitude 106°18'20" W.; to latitude 32°05'00" N., longitude 106°29'00" W.; to latitude 32°06'20" N., longitude 106°-34'00" W.; to latitude 32°18'00" N., longitude 106°34'00" W.; to latitude 32°18'00" N., longitude 106°39'00" W.; to latitude 32°19'30" N., longitude 106°39'30" W.; to latitude 32°-

19'30" N., longitude 106°20'36" W.; to latitude 32°24'00" N., longitude 106°20'36" W.; to the point of beginning.

Designated altitude. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Agency, El Paso ARTC Center.
Using agency. Commanding General, Fort Bliss, Texas.

c. R–5107B White Sands Proving Grounds, N. Mex., is added to read:

R–5107B White Sands Proving Grounds, N. Mex.
Boundaries. Beginning at latitude 33°44'-10" N., longitude 106°04'00" W.; to latitude 32°50'00" N., longitude 106°04'00" W.; to latitude 32°36'00" N., longitude 106°06'00" W.; to latitude 32°25'00" N., longitude 106°-06'00" W.; to latitude 32°24'00" N., longitude 106°20'36" W.; to latitude 32°19'30" N., longitude 106°20'36" W.; to latitude 32°-19'30" N., longitude 106°39'30" W.; to latitude 33°13'00" N., longitude 106°52'00" W.; to latitude 33°53'00" N., longitude 106°44'-45" W.; to the point of beginning.
Designated altitude. Surface to unlimited.
Time of designation. Continuous.
Using agency. Commander, Holloman AFB, New Mexico.

d. R–5107C White Sands Proving Grounds, N. Mex., is added to read:

R–5107C White Sands Proving Grounds, N. Mex.
Boundaries. Beginning at latitude 34°17'-00" N., longitude 106°04'00" W.; to latitude 33°44'10" N., longitude 106°04'00" W.; to latitude 33°53'00" N., longitude 106°44'45" W.; to latitude 34°15'45" N., longitude 106°-40'30" W.; to latitude 34°17'00" N., longitude 106°12'00" W.; to the point of beginning.
Designated altitude. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Agency, Albuquerque ARTC Center.
Using agency. Commander, Holloman AFB, New Mexico.

2. Section 601.1171 (14 CFR 601.1171) is amended to read:

§ 601.1171 Control area extension (El Paso, Texas).

Within 5 miles either side of the 008°, 165°, and 302° radials of the El Paso, Texas, VORTAC extending from the VORTAC to latitude 32°00'00" N., 20 miles SE and 37 miles NW, including the airspace bounded on the N by latitude 32°11'00" N., on the E by longitude 105°-17'00" W., on the S by VOR Federal airway No. 16 and on the W by a line 5 miles E of and parallel to the El Paso VORTAC 008° radial excluding the portion of this control area extension which coincides with R–5103A and the portion outside of the United States.

3. Part 601 (14 CFR 601) is amended by adding the following section:

§ 601.10053 El Paso, Texas, transition area.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 32°06'30" N., longitude 106°34'00" W.; to latitude 32°-06'30" N., longitude 106°17'15" W.; to latitude 32°06'15" N., longitude 106°15'-15" W.; to latitude 32°06'15" N., longitude 105°50'30" W.; to latitude 32°00'-00" N., longitude 105°57'00" W.; to latitude 32°00'00" N., longitude 106°34'-00" W.; to point of beginning. The portions of this transition area which coincide with R–5103A and R–5107A shall be used only after obtaining prior approval from appropriate authority.

§ 600.6019 [Amendment]

4. Section 600.6019 (14 CFR 600.6019, 26 F.R. 11822) is amended as follows:

a. In the caption "El Paso, Tex.," is deleted and "Newman, Texas," is substituted therefor.

b. In the text "From the El Paso, Tex., VOR via the INT of the El Paso VOR 271° and the Truth or Consequences VOR 162° radials; Truth or Consequences, N. Mex., VOR;" and "The portion of this Federal airway above 20,000 feet above mean sea level which overlaps the White Sands restricted area, Area 2 (R–521), (published in section 608.39 of this chapter), shall be used only after obtaining prior approval from Federal Aviation Agency Air Traffic Control." are deleted and "From the Newman, Texas, VOR to the INT of the Newman VOR 287° and the Truth or Consequences, N. Mex., VOR 159° radials, thence 14-mile-wide airway via the Truth or Consequences VOR 159° radial for a distance of 34 nautical miles, thence via the Truth or Consequences VOR;" is substituted therefor.

5. In the text of § 600.6094 (14 CFR 600.6094, 26 F.R. 8806) "INT of the Deming VOR 112° and the Newman VOR 272° radials; Newman, Tex., VOR;" and "The portions of this airway which lie within the geographic limits of and between the designated altitudes of, the White Sands Restricted Area (R–209) and the McGregor Restricted Area (R–211) are excluded during the times of designation of these restricted areas." are deleted and "Newman, Texas, VOR;" and "The airspace within R–5103A is excluded." are substituted therefor.

6. In the text of § 600.1540 (26 F.R. 1085, 27 F.R. 1455, 3194, 5981) "thence via the Deming, N. Mex., VOR; INT of the Deming VOR 112° and the Columbus, N. Mex., VOR 058° radials; thence 10-mile wide airway via the INT of the Deming VOR 112° and the Newman, Tex., VOR 272° radials; Newman VOR; to the INT of the Newman VOR 091° and the Salt Flat, Tex., VOR 312° radials;" is deleted and "thence to the Deming, N. Mex., VOR; thence 10-mile-wide airway via the INT of the Deming VOR 106° and the Truth or Consequences, N. Mex., VOR 159° radials to the Newman, Texas, VOR; thence 9-mile wide airway (4 miles to the N and 5 miles to the S of the centerline) to the INT of the Newman VOR 091° and the El Paso, Texas, VOR 066° radials; thence 10-mile wide airway to the INT of the Newman VOR 091° and the Salt Flat, Texas, VOR 312° radials;" is substituted therefor.

§ 600.1543 [Amendment]

7. Section 600.1543 (26 F.R. 1086, 12069) is amended as follows:

In the caption "(El Paso, Tex., to Minneapolis, Minn.)" is deleted and "(Newman, Texas, to Minneapolis, Minn.)" is substituted therefor.

In the text "From the El Paso, Tex., VOR, 8 mile wide airway to the INT of the El Paso VOR 271° and the Truth or Consequences, N. Mex., VOR 162° radials;" is deleted and "From the Newman, Texas, VOR, 10-mile wide airway to the INT of the Newman VOR 287° and the Truth or Consequences, N. Mex., VOR 159° radials;" is substituted therefor.

§ 601.7101 [Amendment]

8. Section 601.7101 (26 F.R. 1399) is amended by adding the following:

a. R–5107A White Sands Proving Grounds, N. Mex.

b. R–5107C White Sands Proving Grounds, N. Mex.

These amendments shall become effective 0001 e.s.t., August 23, 1962.

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

Issued in Washington, D.C., on July 3, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62–6719; Filed, July 10, 1962; 8:47 a.m.]

[Airspace Docket No. 62–SW–25]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

PART 608—SPECIAL USE AIRSPACE

Alteration of Restricted Areas, Continental Control Area and Federal Airway

The purpose of these amendments to §§ 600.6280, 608.51 and 601.7101 of the Regulations of the Administrator is to subdivide the McGregor, N. Mex., Restricted Area R–5103 into two areas; include these areas and the Orogrande, N. Mex., Restricted Area R–5106 in the continental control area and remove an exclusion from VOR Federal airway No. 280.

The action taken herein is part of a series of airspace changes to be effected as the result of a recent special airspace review by the Federal Aviation Agency conducted for the purpose of promoting safety of flight and more efficient airspace utilization in the McGregor, Orogrande, White Sands Proving Grounds and White Sands, N. Mex., Restricted Area Complex concerning R–5103, R–5106, R–5107, R–5108 and R–5109.

Restricted Area R–5103 is being subdivided into two joint use areas, namely R–5103A and R–5103B, to obtain greater utilization of this airspace. Restricted Area R–5103A extending from the surface to unlimited and Restricted Area R–5106 extending from 4,000 feet above the ground to unlimited will be included in the continental control area for joint use with the El Paso ARTC Center as the controlling agency. This would provide controlled airspace above 14,500 feet MSL for aircraft holding on the Pinon, N. Mex., VOR and permit radar vectoring of El Paso terminal traffic above 14,500 feet MSL. A transition area extending upward from 1,200 feet above the surface to the continental control area designated in Airspace Docket No. 62–SW–24 effective coincident with this

rule will provide controlled airspace in a portion of R–5103A to obtain air traffic control flexibility in controlling aircraft arriving and departing the El Paso terminal area.

The present alignment of low altitude VOR Federal airway No. 280 does not overlap R–5103 (formerly R–211). Therefore, action is taken herein to remove the exclusion from the current designation of this airway.

Restricted Area R–5103B extending from 20,000 feet MSL to unlimited will be included in the continental control area for joint use with the El Paso ARTC Center as the controlling agency. In designating R–5103B from 20,000 feet MSL to unlimited the underlying airspace from the surface to 20,000 feet MSL is released for public use. This provides a VFR fly-way between Almagordo, N. Mex., and the Pinon, N. Mex., VOR station.

Since these amendments reduce a burden on the public, compliance with the Notice, public procedure and effective date requirements of Section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following actions are taken:

§ 608.51 [Amendment]

1. In § 608.51 (14 CFR 608.51) the following changes are made:

a. R–5103 McGregor, N. Mex., is revoked.

b. R–5103A McGregor, N. Mex., is added to read:

R–5103A McGregor, N. Mex.
Boundaries. Beginning at latitude 32°45'00" N., longitude 105°59'00" W.; to latitude 32°45'00" N., longitude 105°-52'20" W.; to latitude 32°35'00" N., longitude 105°30'00" W.; to latitude 32°26'20" N., longitude 105°30'00" W.; to latitude 32°-00'15" N., longitude 105°56'40" W.; to latitude 32°00'30" N., longitude 106°10'25" W.; to latitude 32°05'20" N., longitude 106°-09'20" W.; to latitude 32°06'00" N., longitude 106°15'30" W.; along the Southern Pacific Railroad to latitude 32°28'00" N., longitude 106°02'00" W.; to latitude 32°27'40" N., longitude 106°00'00" W.; to latitude 32°-36'00" N., longitude 106°00'00" W.; to the point of beginning.
Designated altitude. Surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Agency, El Paso ARTC Center.
Using agency. Commanding General, Fort Bliss, Texas.

c. R–5103B McGregor, N. Mex., is added to read:

R–5103B McGregor, N. Mex.
Boundaries. Beginning at latitude 32°-45'00" N., longitude 105°52'20" W.; to latitude 32°45'00" N., longitude 105°30'00" W.; to latitude 32°35'00" N., longitude 105°30'-00" W.; to the point of beginning.
Designated altitude. 20,000 feet MSL to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Agency, El Paso ARTC Center.
Using agency. Commanding General, Fort Bliss, Tex.

d. R–5106 Orogrande, N. Mex., is amended to read:

R–5106 Orogrande, N. Mex.
Boundaries. Beginning at latitude 32°-36'00" N., longitude 106°00'00" W.; to latitude 32°27'40" N., longitude 106°00'00" W.; to latitude 32°28'00" N., longitude 106°02'00" W.; along the Southern Pacific Railroad to latitude 32°06'15" N., longitude 106°15'15" W.; to latitude 32°06'30" N., longitude 106°-17'15" W.; to latitude 32°25'00" N., longitude 106°06'00" W.; to latitude 32°36'00" N., longitude 106°06'00" W.; to the point of beginning.
Designated altitudes. From 4,000 feet above the surface to unlimited.
Time of designation. Continuous.
Controlling agency. Federal Aviation Agency, El Paso ARTC Center.
Using agency. Commanding General, Fort Bliss, Texas.

2. Section 601.7101 (26 F.R. 1399) is amended by adding the following:

a. R–5103A McGregor, N. Mex.
b. R–5103B McGregor, N. Mex.
c. R–5106 Orogrande, N. Mex.

3. Section 601.10808 (14 CFR 601.-10808) is amended to read:

§ 601.10808 Pinon, N. Mex., transition area.

The airspace extending upward from 1,200 feet above the surface within 10 miles either side of the Pinon, N. Mex., VOR 035° and 219° radials extending from 20 miles NE to 20 miles SW of the VOR, excluding the portion of this transition area which coincides with R–5103A.

§ 600.6280 [Amendment]

4. In the text of § 600.6280 (14 CFR 600.6280, 26 F.R. 11484, 27 F.R. 1757, 5981) "The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the McGregor Restricted Area (R–211) is excluded during this restricted area's time of designation," is deleted.

These amendments shall become effective 0001 e.s.t. August 23, 1962.

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

Issued in Washington, D.C., on July 3, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62–6718; Filed, July 10, 1962; 8:46 a.m.]

[Airspace Docket No. 62–SW–20]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Control Area Extension

On April 27, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 4033) stating that the Federal Aviation Agency proposed to alter the Wink, Texas, control area extension.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, § 601.1367 (14 CFR 601.1367) is amended to read:

§ 601.1367 Control area extension (Wink, Texas).

That airspace bounded on the S by a line extending from latitude 31°27'00" N., longitude 103°02'00" W., to latitude 31°27'00" N., longitude 103°30'00" W., on the SW by a line extending from latitude 31°27'00" N., longitude 103°-30'00" W., to latitude 31°41'30" N., longitude 103°30'00" W., thence clockwise along the arc of a 20-mile radius circle centered on the Wink VOR to the S boundary of VOR Federal airway No. 16 S alternate E of Wink, and on the SE by the S boundary of VOR Federal airway No. 16 S alternate and the E boundary of VOR Federal airway No. 79; and including the airspace NE of Wink bounded on the N by a line 5 miles N of and parallel to the Midland, Texas, VOR 283° radial, on the E by a line extending from latitude 32°07'00" N., longitude 102°48'40" W., to latitude 32°13'10" N., longitude 102°54'30" W., on the SE by VOR Federal airway No. 16, on the SW by the Wink control area extension 20-mile radius area, and on the NW by VOR Federal airway No. 79.

This amendment shall become effective 0001, e.s.t., August 23, 1962.

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

Issued in Washington, D.C., on July 3, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62–6720; Filed, July 10, 1962; 8:48 a.m.]

[Airspace Docket No. 61–NY–113]

PART 602—DESIGNATION OF JET ROUTES, JET ADVISORY AREAS AND HIGH ALTITUDE NAVIGATIONAL AIDS

Designation of Jet Advisory Areas

On April 18, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 3694), stating that the Federal Aviation Agency was considering the designation of en route radar jet advisory areas on the segment of Jet Route No. 34 from Pittsburgh, Pa., to Herndon, Va., and on the segment of Jet Route No. 55 from its intersection with Jet Route No. 77 southwest of Flat Rock, Va., to its intersection with Jet Route No. 37 northeast of Flat Rock.

In Airspace Docket No. 62–WA–63 (27 F.R. 5603) action was taken to exclude jet advisory areas from positive control airspace. Therefore, action is taken herein to delete the jet advisory area associated with the segment of J–34 from Milwaukee, Wis., to Pittsburgh, Pa., from § 602.200 as this segment is entirely within positive control airspace.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for reasons stated in the Notice, § 602.200 en route jet advisory areas (14 CFR 602.200, 27 F.R. 3736) is amended as follows:

1. Jet Route No. 34 is amended to read:

Jet Route No. 34 jet advisory area. Radar—Pittsburgh, Pa., to Herndon, Va.

2. Jet Route No. 55 is amended to read:

Jet Route No. 55 jet advisory area. Radar—Jacksonville, Fla., to Charleston, S.C.; from INT of Jet Routes Nos. 55 and 77 SW of Flat Rock, Va., to INT of Jet Routes Nos. 37 and 55 NE of Flat Rock; from Idlewild, N.Y., to the United States/Canadian border.

These amendments shall become effective 0001 e.s.t., August 23, 1962.

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

Issued in Washington, D.C., on July 3, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-6722; Filed, July 10, 1962; 8:48 a.m.]

[Airspace Docket No. 62-WA-16]

PART 602—DESIGNATION OF JET ROUTES, JET ADVISORY AREAS, AND HIGH ALTITUDE NAVIGATIONAL AIDS

Designation of Jet Advisory Area

On May 2, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 4201), stating that the Federal Aviation Agency was considering the designation of a radar jet advisory area within 16 miles either side of Jet Route No. 39 from flight level 240 to flight level 390 inclusive, between Nashville, Tenn., and Dayton, Ohio.

In Airspace Docket No. 62-WA-63 (27 F.R. 5603) action was taken to exclude jet advisory areas from positive control airspace. Therefore, action is taken herein to designate radar jet advisory area only on the segment of J-39 from Nashville to Louisville, Ky., as the segment from Louisville to Dayton is within positive control airspace.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for reasons stated herein and in the notice, the following action is taken:

In the text of § 602.200 Enroute Jet Advisory Areas (14 CFR 602.200) the following is added:

Jet Route No. 39 jet advisory area.
Radar—Nashville, Tenn., to Louisville, Ky.

This amendment shall become effective 0001, e.s.t., August 23, 1962.

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

Issued in Washington, D.C., on July 3, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-6723; Filed, July 10, 1962; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-82]

PART 13—PROHIBITED TRADE PRACTICES

Canadian Fur Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices:* § 13.155-40 *Exaggerated as regular and customary;* § 13.155-70 *Percentage savings.* Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* § 13.1108-45 *Fur Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements:* § 13.1212-30 *Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845-30 *Fur Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements:* § 13.1852-35 *Fur Products Labeling Act;* § 13.1865 *Manufacture or preparation:* § 13.1865-40 *Fur Products Labeling Act;* § 13.1886 *Quality, grade or type;* § 13.1900 *Source or origin:* § 13.1900-40 *Fur Products Labeling Act:* § 13.1900-40(a) *Maker or seller;* § 13.1900-40(b) *Place.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Canadian Fur Corporation et al., Newark, N.J., Docket C-82, Feb. 21, 1962]

In the Matter of Canadian Fur Corporation, a New York Corporation, and Canadian Fur Corporation, a New Jersey Corporation, and Jacob Dornfeld and Morris Dornfeld, Individually and as Officers of the Said Corporations, and Sidney Dornfeld, Individually and as General Manager of Fur Operations of the Said Corporations

Consent order requiring Newark, N.J., furriers to cease violating the Fur Products Labeling Act by failing to show in labeling, invoicing, and advertising, the true animal name of fur used in fur products; to show on labels the name of the registered manufacturer, etc.; to disclose on invoices when fur was artificially colored or composed of flanks, and the country of origin of imported furs; by invoicing "Japanese Mink" as "Mink", and failing to set forth the term "Persian Lamb" as required on invoices; by failing in other respects to comply with labeling and invoicing requirements; by advertising which represented prices of fur products as reduced from regular prices which were, in fact, fictitious, and represented prices falsely as "cut 50% and more"; and by failing to keep adequate records as a basis for price and value claims.

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

It is ordered, That respondents Canadian Fur Corporation, a New York corporation, and its officers, and Canadian Fur Corporation, a New Jersey corporation, and its officers, and Jacob Dornfeld and Morris Dornfeld, individually and as officers of said corporations, and Sidney Dornfeld, individually and as general manager of the fur operations of the said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution, in commerce, of any fur product, or in connection with the sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received, in commerce, as "commerce", "fur", and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

B. Setting forth on labels affixed to fur products:

1. Information required under section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in abbreviated form.

2. Information required under section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder mingled with non-required information.

3. Information required under section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in handwriting.

2. Falsely or deceptively invoicing fur products by:

A. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

B. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder in abbreviated form.

C. Failing to set forth the term "Persian Lamb" in the manner required where an election is made to use that term instead of the word "Lamb".

D. Failing to disclose that fur products are composed in whole or in substantial part of flanks, when such is the fact.

3. Falsely or deceptively invoicing fur products or otherwise falsely or deceptively identifying such fur products with respect to the name or names of the animal or animals that produced the fur from which such fur products were manufactured.

4. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products and which:

A. Fails to disclose:

1. The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the said Rules and Regulations.

B. Represents, directly or by implication, that the regular or usual price of any fur product is any amount which is in excess of the price at which respondents have usually and customarily sold such products in the recent regular course of business.

C. Represents through percentage savings claims that prices of fur products are reduced in direct proportion to the percentage of savings stated when such is not the fact.

5. Making claims and representations of the types covered by subsections (a), (b), (c) and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That the respondents herein 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 this order.

Issued: February 21, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-6731; Filed, July 10, 1962; 8:50 a.m.]

[Docket 7888o.]

PART 13—PROHIBITED TRADE PRACTICES

Gimbel Brothers

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices:* § 13.155–45 *Fictitious marking;* § 13.155–70 *Percentage savings.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845–30 *Fur Products Labeling Act;* § 13.1865 *Manufacture or preparation:* § 13.1865–40 *Fur Products Labeling Act;* § 13.1900 *Source or origin:* § 13.1900–40 *Fur Products Labeling Act:* § 13.1900–40(b) *Place.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Gimbel Brothers, New York, N.Y., Docket 7888, Feb. 23, 1962]

Order requiring a department store with retail stores in New York City, Milwaukee, Pittsburgh, and Philadelphia, to cease violating the Fur Products Labeling Act by advertising in a Philadelphia newspaper which failed to disclose the names of animals producing the fur in fur products, the country of origin of imported furs, and that certain furs were artificially colored; represented prices of fur products as reduced from usual prices when they had never sold at such prices and as "⅓ off" when such was not the fact; and failed to maintain adequate records as a basis for price and value claims.

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

It is ordered, That respondent, Gimbel Brothers, a corporation, and its officers, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, offering for sale, transportation or distribution, in commerce, of fur products; or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which are made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice, which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products and which:

1. Fails to disclose:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide, as prescribed under the Rules and Regulations;

(b) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur;

(c) The name of the country of origin of any imported furs contained in a fur product.

2. Represents, directly or by implication, that the regular or usual price of any fur product is any amount which is in excess of the price at which respondent has usually and customarily sold such products in the recent regular course of business.

3. Misrepresents in any manner the savings available to purchasers of respondent's fur products.

It is further ordered, That the charge made in Paragraph Five of the complaint be, and it hereby is, dismissed.

It is further ordered, That respondent, Gimbel Brothers, 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 the order to cease and desist.

Issued: February 23, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-6732; Filed, July 10, 1962; 8:51 a.m.]

[Docket C-85]

PART 13—PROHIBITED TRADE PRACTICES

O. Jack Miller

Subpart—Advertising falsely or misleadingly: § 13.20 *Comparative data or merits:* § 13.20–20 *Competitors' products;* § 13.205 *Scientific or other relevant facts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, O. Jack Miller, Milwaukee, Wis., Docket C-85, Feb. 28, 1962]

Consent order requiring a Milwaukee seller of contact lenses designated "Occulettes" to cease representing falsely in newspaper and other advertising that his said contact lenses do not rest upon the eye and are thus more comfortable than other lenses; that they can be worn all day, without discomfort, by anyone in need of visual correction; and that wearers of his lenses can discard eyeglasses.

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

It is ordered, That respondent O. Jack Miller and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of contact lenses sold under the name "Occulettes" or under any other name or names, or any other contact lenses of substantially the same construction or properties, do forthwith cease and desist from directly or indirectly:

1. Disseminating, or causing to be disseminated, any advertisement, by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or by implication that:

A. Respondent's lenses do not rest upon the eye or that said lenses are more comfortable than other contact lenses.

B. Respondent's contact lenses can be worn by everyone all day or that anyone can wear them all day unless it is clearly revealed that this is possible only after the wearer has become fully adjusted thereto.

C. There is no discomfort in wearing respondent's contact lenses unless it is clearly revealed that practically all persons will experience some discomfort when first wearing respondent's lenses, and that in a significant number of cases discomfort will be prolonged.

D. All persons in need of visual correction can successfully wear respondent's contact lenses.

E. Respondent's lenses can replace eyeglasses to the extent that eyeglasses can be discarded by all persons.

2. Disseminating, or causing to be disseminated, any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said products in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representations prohibited in Paragraph 1 hereof.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

Issued: February 28, 1962.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-6733; Filed, July 10, 1962; 8:51 a.m.]

[Docket C-84]

PART 13—PROHIBITED TRADE PRACTICES

Procter & Gamble Co.

Subpart—Advertising falsely or misleadingly: § 13.20 *Comparative data or merits:* § 13.20-20 *Competitors' products;* § 13.265 *Tests and investigations.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, The Procter & Gamble Company, Cincinnati, Ohio, Docket C-84, Feb. 26, 1962]

Consent order requiring the manufacturer of "Crest" toothpaste to cease representing falsely in advertising in newspapers and magazines and by television that in tests referred to, Crest was tested in comparison with competing brands of commercially available toothpaste when, in fact, it was compared with a product substantially the same as Crest but minus the ingredient stannous fluoride.

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

It is ordered, That respondent The Procter & Gamble Company, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of any dentifrice or any other drug or cosmetic product, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement:

(a) Represents, directly or indirectly, that any drug or cosmetic product has been tested in comparison with competing products, when such is not the fact;

(b) Misrepresents the manner in which any such drug or cosmetic product has been tested.

2. Disseminating or causing the dissemination of any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said product in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited in Paragraph 1 hereof.

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: February 26, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-6734; Filed, July 10, 1962; 8:53 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 147—ANTIBIOTICS INTENDED FOR USE IN THE LABORATORY DIAGNOSIS OF DISEASE

Antibiotic Sensitivity Discs; Tests and Methods of Assay and Certification for Antibiotic-Dehydrated Media-Triphenyltetrazolium Chloride Sensitivity Discs

Correction

In F.R. Doc. 62-5889 appearing at page 5740 of the issue for Saturday, June 16, 1962, the table in § 147.3(b)(3) is corrected by changing the number in the third line to read "14507" instead of "14506".

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Schuylkill River, Pa.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.227 is hereby amended with respect to paragraph (h) by revising subparagraph (1) to govern the operation of the Pennsylvania Railroad Company bridge across Schuylkill River near Christian Street, Philadelphia, Pennsylvania, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.227 Delaware and Schuylkill Rivers, N.J. and Pa., in vicinity of Philadelphia and Bristol; bridges.

* * * * *

(h) *Pennsylvania Railroad Company bridge across Schuylkill River near Christian Street.* (1) The owner of or agency controlling this drawbridge will not be required to keep drawtenders in constant attendance. Whenever a vessel unable to pass under the closed bridge desires to pass through the draw, at least 2 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge.

[Regs., June 29, 1962, 285/111 (Schuylkill River, Pa.)—ENGCW-ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

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

[F.R. Doc. 62-6717; Filed, July 10, 1962; 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

PART 207—LEASE AND INTERCHANGE OF VEHICLES

[Ex Parte No. MC-43]

Lease and Interchange of Vehicles by Motor Carriers

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 28th day of June A.D. 1962.

It appearing that on November 23, 1956, the Commission made and filed in this proceeding a supplemental report, 68 M.C.C. 553, and order establishing regulations regarding the leasing and interchange of vehicles by motor carriers;

It further appearing that on September 6, 1960, a notice of proposed rule making (25 F.R. 182) was issued in the above-entitled proceeding contemplating revision of §§ 207.3(a) and 207.4 of said regulations:

And it further appearing that the Commission, on July 24, 1961, made and filed a fifth supplemental report, 86 M.C.C. 525, and order in the above-entitled proceeding;

And it further appearing that upon consideration of the record, of a joint petition of Wilson Freight Forwarding Company and Interstate Dispatch, Inc., and separate petitions of the Heavy-Specialized Carriers Conference and Pacific Intermountain Express Co., by order entered April 30, 1962, the proceeding was reopened for reconsideration on the present record insofar as it relates to matters covered by the fifth supplemental report of the Commission herein;

And it further appearing, That reconsideration of the matters and things involved in this proceeding has been given, and that the Commission, on the date hereof, has made and filed a re-

port on reconsideration of its fifth supplemental report herein setting forth the basis of its conclusions and its findings therein, which report and the prior reports herein are hereby referred to and made a part hereof:

It is ordered, That the said order of July 24, 1961, be, and it is hereby, vacated and set aside;

And it is further ordered, That Part 207 (49 CFR Part 207) be, and it is hereby, amended by modifying § 207.3(a) thereof so as to read as follows:

§ 207.3 Exemptions.

The provisions of § 207.4, except paragraphs (c) and (d), relative to inspection and identification of equipment, shall not apply:

(a) *Equipment used in the direction of a point which lessor is authorized to serve.* To equipment owned or held under a lease of 30 days or more by an authorized carrier and regularly used by it in the service authorized, and leased by it to another authorized carrier for transportation in the direction of a point which lessor is authorized to serve: *Provided,* That the two carriers have first agreed in writing that control and responsibility for the operation of the equipment shall be that of the lessee from the time the equipment passes the inspection required to be made by lessee or its representative under § 207.4(c) until such time as the lessor or its representative shall give to the lessee or its representative a receipt specifically identifying the equipment and stating the date and the time of day possession thereof is retaken or until such time as the required inspection is completed by another authorized carrier taking possession of the equipment in an interchange of equipment where such use is contemplated, such writing to be signed by the parties or their duly authorized regular employees or agents, and a copy thereof carried in the equipment while the equipment is in the possession of the lessee.

And it is further ordered, That this order shall become effective August 13, 1962, and shall continue in effect until the 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.

(Sec. 204, 49 Stat. 546, as amended, 49 U.S.C. 304)

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 62-6746; Filed, July 10, 1962; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 1045]

[Docket No. AO–334–A5]

MILK IN NORTHEASTERN WISCONSIN MARKETING AREA

Decision on Proposed Amendment to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Appleton, Wisconsin, May 16, 1962, pursuant to notice thereof issued May 1, 1962 (27 F.R. 4339).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Secretary, United States Department of Agriculture, on June 15, 1962 (27 F.R. 5874; F.R. Doc. 62–6064) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issue on the record of the hearing relates to pool plant performance standards for distributing plants and supply plants.

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

Pool plant performance standards for distributing plants and supply plants. The pool plant requirement of route disposition from a distributing plant should be changed from 50 to 40 percent of its Grade A milk receipts and the shipping requirement percentage of Grade A receipts from dairy farmers for a supply plant to pool should likewise be changed from 50 to 40 percent.

The principal producer associations and a major handler in the market proposed changing the pool plant performance standards in this manner. Increased production of individual producers now serving the market was pointed to as increasing receipts at pool plants so that difficulty has been experienced in maintaining such plants pooled under the present percentage requirements for distributing plants and supply plants. Consequently, dairy farmers who are established producers under the order are threatened with loss of a market for their milk.

Deliveries to pool plants during the past year have increased substantially over those of the preceding year. The 432 million pounds of milk pooled in the year ending April 30, 1962 is 15 percent above the 375 million pounds a year earlier, an average monthly increase of 4.7 million pounds. The average daily production per producer during this same period was 850 pounds compared to 793 pounds for the preceding 12 months.

The increased production for the market has not been absorbed by increased Class I sales. As a result, plants are having difficulty in meeting the percentage requirements for pool plant status and uneconomic transportation and handling charges have been incurred by handlers to maintain pooling eligibility for milk customarily delivered to such plants.

Lowering the percentage requirements for distributing pool plants is necessary to maintain orderly marketing of producer milk and maintain the association of present producers with this market. By requiring that 20 percent of total receipts be disposed of in the marketing area on routes, reduction of the total Class I route distribution requirement from 50 to 40 percent will not result in the association of additional distributing plants with this market. Only plants primarily engaged in route distribution of fluid milk products in this marketing area would be expected to qualify for pool status under this provision. There are limited manufacturing operations (primarily ice cream and cottage cheese) at pool plants which distribute in this marketing area.

The order should specify that the route distribution percentage requirements for a distributing plant to pool be based on total Grade A receipts at the plant. The order now provides that the 20 percent requirement of route distribution in the marketing area be based on receipts from dairy farmers. It would be impracticable to continue this basis because a number of plants receive their Grade A supplies other than directly from dairy farmers.

Reducing shipping qualifications for supply plants will assist in keeping associated with this market producer milk presently delivered to such plants without incurring uneconomic transportation and handling charges otherwise necessary to retain pool plant status. Shipments to distributing plants qualified as pool plants of 40 percent of Grade A receipts from dairy farmers will demonstrate substantial association of supply plants with this market.

Definitions of "distributing plant" and "supply plant" should be incorporated in the order in recognition of the difference in marketing practices and functions between distributing plants and supply plants and to facilitate references throughout the order to these two types of plants which may become pool plants by meeting the specified requirements. A "distributing plant" would be defined as a plant from which any Grade A fluid milk product that is processed or packaged in such plant is disposed of during the month in the marketing area on routes. "Supply plant" would be defined to mean a plant from which milk, skim milk or cream is shipped during the month to a distributing plant which is qualified as a pool plant.

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

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

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

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

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

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

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

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

Determination of representative period. The month of April 1962 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order amending the order regulating the handling of milk in the Northeastern Wisconsin marketing area, is approved or favored by producers, as defined under the terms of the order as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on July 6, 1962.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

Order[1] Amending the order Regulating the Handling of Milk in the Northeastern Wisconsin Marketing Area

§ 1045.0 Findings and determinations.

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

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

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

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

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

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

Sections 1045.9, 1045.10, 1045.11, 1045.12, 1045.13, 1045.14, 1045.15, 1045.16 and 1045.17 are redesignated §§ 1045.11, 1045.12, 1045.13, 1045.14, 1045.15, 1045.16, 1045.17, 1045.18 and 1045.19, respectively, and § 1045.8 is replaced by the following:

§ 1045.8 Distributing plant.

"Distributing plant" means a plant from which any Grade A fluid milk product that is processed or packaged in such plant is disposed of during the month in the marketing area on routes.

§ 1045.9 Supply plant.

"Supply plant" means plant from which Grade A milk, skim milk or cream is shipped during the month to a pool plant.

§ 1045.10 Pool plant.

"Pool plant" means a plant specified in paragraph (a) or (b) of this section, except as provided in §§ 1045.80 through 1045.82.

(a) A distributing plant from which not less than 40 percent of the total Grade A milk receipts is disposed of during the month on routes and not less than 20 percent of such receipts is disposed of in the marketing area on routes.

(b) A supply plant from which not less than 40 percent of the Grade A milk received from dairy farmers at such plant during the month is shipped as fluid milk products to pool plants qualified pursuant to paragraph (a) of this section: *Provided,* That a supply plant which qualified pursuant to this paragraph in each of the immediately preceding months of July through November shall be a pool plant for the months of December through June unless written application is filed with the market administrator on or before the first day of any such month to be designated a nonpool plant for such month and for each subsequent month through June in which it would not otherwise qualify as a pool plant.

[F.R. Doc. 62-6764; Filed, July 10, 1962; 8:54 a.m.]

[7 CFR Parts 1005, 1011, 1065, 1066, 1071–1076, 1090, 1094, 1096, 1098, 1101–1107, 1120, 1126–1130, 1132, 1134, 1135, 1137]

HANDLING OF MILK IN CERTAIN MARKETING AREAS

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

In the matter of:

7 CFR Part	*Docket No.*	*Marketing Area*
1005	AO–177–A20	Tri-State.
1011	AO–251–A4	Appalachian.
1065	AO–86–A14	Nebraska-Western Iowa.
1066	AO–122–A9	Sioux City, Iowa.
1071	AO–227–A13	Neosho Valley.
1072	AO–235–A4	Sioux Falls-Mitchell, S. Dak.
1073	AO–173–A14	Wichita, Kans.
1074	AO–249–A4	Southwest Kansas.
1075	AO–248–A3	Black Hills, S. Dak.
1076	AO–260–A4	Eastern South Dakota.
1090	AO–266–A3	Chattanooga, Tenn.
1094	AO–103–A20	New Orleans, La.
1096	AO–257–A8	Northern Louisiana.
1098	AO–184–A18	Nashville, Tenn.
1101	AO–195–A10	Knoxville, Tenn.
1102	AO–237–A6	Fort Smith, Ark.
1103	AO–252–A7	Central Mississippi.
1104	AO–298–A2	Red River Valley.
1105	AO–297–A2	Mississippi Delta.
1106	AO–210–A14	Oklahoma Metropolitan.
1107	AO–304–A3	Mississippi Gulf Coast.
1120	AO–328–A1	Lubbock-Plainview, Tex.
1126	AO–231–A19	North Texas.
1127	AO–232–A11	San Antonio, Tex.
1128	AO–238–A13	Central West Texas.
1129	AO–256–A7	Austin-Waco, Tex.
1130	AO–259–A7	Corpus Christi, Tex.
1132	AO–262–A8	Texas Panhandle.
1134	AO–301–A2	Western Colorado.
1135	AO–300–A4	Colorado Spring-Pueblo.
1137	AO–326–A1	Eastern Colorado.

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Assistant Secretary, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreements and orders regulating the handling of milk in each of the marketing areas heretofore specified. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., not later than the close of business the 5th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed

[1] This order shall not become effective unless and until the requirements of § 990.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

amendments, as hereinafter set forth, to the tentative marketing agreements and to the orders, were formulated, was conducted with sessions at Wichita, Kansas, on June 7, 1962; at Nashville, Tennessee, on June 12, 1962; and at New Orleans, Louisiana, on June 14, 1962, pursuant to notices thereof which were issued May 22, 1962, and June 4, 1962 (27 F.R. 5402; 27 F.R. 4919).

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

1. Basic formula prices used to compute Class I prices;

2. Basic butterfat test in specified markets; and

3. Conforming changes.

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

1. The monthly average price received by farmers for manufacturing grade milk in Minnesota and Wisconsin as published by the Department on about the 5th day following the month (adjusted to a 3.5 percent butterfat) should be the basic formula price from which the Class I milk price is computed in each of the Federal orders named herein.

(a) *Present order provisions.* Class I prices in Federal order markets are established under the authority of the Agricultural Marketing Agreement Act. The standards for milk order prices described in the Act require that such prices reflect economic conditions which affect market supply and demand for milk in the marketing area. In accordance with these standards, Class I milk pricing formulas have been developed for use in the several Federal orders.

Class I milk price formulas, in markets here considered, employ a basic formula price representing a manufacturing milk value. To this is added a price differential, and in most of these markets a further adjustment is made to reflect the changing relationship of milk supplies to Class I milk disposition. The latter adjustment is commonly referred to as a supply-demand adjustment. Eight of the orders considered here do not have basic formula prices, since the Class I prices thereunder are established at fixed relationships to the Class I prices of other orders.

There is considerable diversity in the basic formulas used in the remaining 23 orders. In 20 of these orders the average paying price of Midwest condenseries is used as a basic formula factor, but since 13 of such orders that compute prices at either 3.8 percent or 4.0 percent butterfat use various methods of adjusting to such tests the condensery price announced at a 3.5 percent basis, five different prices result from the use of this one formula factor. Two orders use the paying prices of a different list of condenseries. All basic formulas include a price computed from market values of butter and nonfat dry milk. In all but one order this is an alternative price used when it is higher than a condensery pay price or other alternatives. The order for the Sioux Falls-Mitchell, South Dakota, market uses the butter-powder formula price as the sole basic formula factor. There are in all, eleven different butter-powder formulas in use in the several orders. Eight orders also include paying prices of local plants as alternative basic formula factors, three use computations based on butter and cheese prices, and one uses the average price of manufacturing milk at plants in the United States.

The lack of uniformity among the various basic formulas and the consequent diversity of results produced in Class I prices constitutes a serious problem with respect to coordination of prices among these markets and with other markets adjacent to the respective markets. The extent to which the Midwest condensery price, common to 28 of the orders here under consideration, has been the effective price in these markets and the adjacent markets, has mitigated this problem somewhat in the past. The variety of means used to adjust this price to the basic butterfat test used in the various orders has, however, resulted in uniformity of basic prices under this condition only among those orders using the same basic test and adjustment factor.

The Midwest condensery price was originally based on reports by 18 plants. From time to time individual plants have ceased operations. Recently, seven plants (5 in Wisconsin and 2 in Michigan) have been reporting prices. Four of these are operated by a single firm and two others by another firm. In addition to the effect that reductions in the number of plants has had in impairing this average price as a representative value of manufacturing milk, there is substantial evidence that the posted pay prices reported for the two Michigan plants in the series do not currently reflect the total cost of milk to such plants. As a consequence of these developments the reliability of the Midwest condensery price as an accurate measure of manufacturing milk values has been reduced.

The factors used in the formula computations based on prices of butter and nonfat dry milk vary considerably in the price quotations used, product yields per hundredweight of milk and manufacturing allowances. Such factors as yields and manufacturing allowances are rigid elements in these formulas that do not respond to changes in efficiency. Most butter-powder formulas give substantial weight to the price of roller process powder. The volume of roller process powder produced has declined substantially so that it no longer represents the end product for a substantial volume of manufacturing milk, and, accordingly, is not now being purchased for price support purposes.

The formulas based on prices of butter and cheese are affected by considerations similar to those in connection with butter-powder formulas, and have never been the effective basic formula prices in the orders here under consideration.

Local plant paying prices have tended to play a lesser role in establishing basic formula prices. Generally they have been lower than other alternative formula computations. An exception has been the "Illinois condensery" prices used in the Nebraska-Western Iowa and Sioux City, Iowa, orders in lieu of the Midwest condensery prices. Since different groups of plants are used in each of these orders, uniformity of pricing among orders cannot be attained by use of such prices.

Uniformity of basic formulas is desirable for the purposes of aligning prices among related markets and promoting understanding of order pricing methods among parties in the industry. Disadvantages inherent in the existing formulas based on product prices and the lessening representation provided by the Midwest condensery prices, make it imperative that a sounder basis for determining basic formulas be provided.

(b) *Minnesota-Wisconsin price.* The price for manufacturing grade milk in the two-state area of Wisconsin and Minnesota is issued by the State-Federal Crop Reporting Service on about the 5th day of each month for milk received at manufacturing plants in these states in the previous month. In each state plant operators regularly report the total pounds of manufacturing grade milk received from farmers, the butterfat content, and total money paid to farmers for the milk. Average state prices based on these reports are available near the end of the month following. For the two-state area a special reporting system has been arranged which provides a reliable estimated price by the 5th day after the end of the month. The two-state area is one in which there is a heavy concentration of manufacturing grade milk and where many plants are competing for such supply. In Minnesota about 80 percent of the milk sold off farms is manufacturing grade and in Wisconsin, about 65 percent. About 50 percent of the manufacturing grade milk sold off farms in the United States is produced in these two States.

This price better meets the requirements for a basic formula price than other formulas now used. It is representative of prices paid to farmers for about half of the manufacturing grade milk produced in the country. It is a price level determined by competitive conditions which are affected by demand in all of the major uses of manufactured dairy products. The system of reporting has been developed so that a reliable average price is available promptly and thus it provides just as current a basis for pricing milk as existing basic formulas. This price is now used as the basic formula price in the orders for 38 markets. Many of the markets here under consideration adjoin one or more of such markets.

It is concluded that the average price for manufacturing grade milk in Wisconsin and Minnesota, as reported by the Department on about the 5th day of the following month should be adopted as the basic formula price in these orders, excepting those where prices are determined on the basis of differentials from other markets. All producer groups from each market and practically all handler witnesses supported use of this price as the basic formula price to be used in these orders.

Inasmuch as the manufacturing milk price for the two-state area is reported by the Department as the price at actual butterfat test, a method for adjustment to the butterfat test (3.5 percent) to be used in these orders must be adopted. For this purpose a generally recognized value of butterfat, 0.12 times the average wholesale price for 92-score butter at Chicago, should be used. This method of adjustment is used in the 38 orders now using this price series as a basic formula price. It is concluded elsewhere in this decision that prices in each of the orders here considered should be stated on a 3.5 percent butterfat basis.

(c) *Transition to new formula (general).* The principal issue of the hearing related to proposed adjustments in Class I differentials to provide transition to the new basic formula price without changing the level of Class I prices. Producers in some markets requested Class I differentials be unchanged, in other markets they requested increases of from 1 to 10 cents. Handlers proposed decreases of from 2 to 7 cents in some markets, no adjustment in others, and increases of 2 to 3 cents in still others.

The variety of basic formulas among the various orders precludes consideration of a uniform basis of adjustment. Before the effective basic formula prices in many orders could be compared with the Minnesota-Wisconsin price, it was necessary to convert the present prices to a 3.5 percent basis by use of the Class I butterfat differentials of the respective orders. These existing formulas have not maintained precise relationship with the Minnesota-Wisconsin series during recent years (data for the period January 1958 through May 1962 were available in the record). In view of the variations in such relationships it is not possible to establish with precision the relationships that may be expected in the future.

For the 34-month period from January 1958 through October 1960 the Minnesota-Wisconsin price and the Midwest condensery price represented virtually the same level of price, differing by less than one-half cent on a simple average basis. In only six of these months did the prices vary by more than 3 cents and the difference never exceeded 7 cents. Beginning with November 1960 through February 1961 the Midwest condensery price exceeded the Minnesota-Wisconsin price by 6–14 cents; for March and April 1961 the condensery price was approximately the same as the Minnesota-Wisconsin price. The condensery price was 4 cents less in May 1961 and it has been from 9 to 15 cents less each month since than the Minnesota-Wisconsin price. Despite these wider but offsetting variations the two price series averaged within less than one-half cent of each other for the four-year 1958–1961 period.

In those markets for which the Midwest condensery price has been the usually effective basic formula price there is no basis for adjusting Class I differentials in making the transition from the present basic formula price to the Minnesota-Wisconsin price. The present relationship of the Midwest condensery price to paying prices in the area, and a somewhat similar relationship to market prices of manufactured dairy products are symptoms of its progressive failure to represent accurately manufacturing milk values. It would not be appropriate to reduce Class I differentials to reflect recent levels in the condensery price.

(d) *Transition to new formula (market by market).* For only two markets here involved, Black Hills and Eastern South Dakota, has the 3.5 percent Midwest condensery price without adjustment been the effective price at all times. For the Tri-State, Oklahoma Metropolitan, Western Colorado, Colorado Springs-Pueblo, and Eastern Colorado markets, basic formula factors are identical. Under this type of formula the condensery price has been the dominant price. While the Nebraska-Western Iowa and Sioux City orders include the "Illinois" condensery price rather than the Midwest price, prices of these two series were substantially the same prior to the development of the present weakness in the Midwest series. For all these orders, for which prices are announced on a 3.5 percent basis, it is concluded that the transition to the new basic formula should be made without change in the Class I price differential.

For the Neosho Valley, Wichita, Southwest Kansas, Northern Louisiana, Fort Smith, North Texas, and Texas Panhandle orders the formula factors generally resemble those in the Oklahoma and Colorado markets, except that prices are stated at 3.8 percent butterfat in the Wichita and Southwest Kansas orders and at 4.0 percent in the remaining markets. Conversion of the condensery price to such tests by direct ratio has been at a higher rate than the Class I butterfat differentials of the orders. As a consequence basic formula prices of these orders, when reconverted to a 3.5 percent basis, are slightly higher than those for the Oklahoma and Colorado orders. The deterioration in the condensery price series more than overcomes this difference so that transition to the new basic formula may be accompanied without current reduction in Class I prices if present Class I price differentials are maintained. Such transition will best serve to avoid distortion of price alignments among markets.

With respect to the Appalachian, Chattanooga, New Orleans, Nashville, Knoxville, and Central Mississippi orders, Midwest condensery prices have not been so predominatingly effective. These markets all use a 4.0 percent basic test. In the four-year period 1958–1961, butter-powder formula prices were the effective basic formula prices about 40 percent of the time in New Orleans and Central Mississippi and almost 60 percent of the time in the other markets. In all these markets butter-powder prices are presently the effective basic formula prices. Differences in the butter-powder formula, methods of converting prices to the basic tests of the orders and Class I butterfat differentials provide diverse results when each of these orders is compared with the Minnesota-Wisconsin price at 3.5 percent test.

The increases in Class I price differentials suggested by producer spokesmen based on a comparison of order basic formula prices with the Minnesota-Wisconsin manufacturing milk price in earlier years do not provide a valid basis for transition from current levels of the existing basic formula prices in these orders. The suggested comparison does not allow for recognized changes in the industry. A comparison on a more recent basis is more valid for this reason.

On the basis of this comparison for recent months, it is concluded that no adjustment of Class I differentials is required to prevent decrease of price in the Chattanooga and Knoxville markets, but that Class I differentials should be increased 3 cents in the New Orleans, Nashville and Central Mississippi markets and 1 cent in the Appalachian market.

The Sioux Falls-Mitchell order does not include a condensery price alternative in its basic formula but computes the Class I price by addition of a Class I differential to the Class II price determined by a butter-powder formula price. This price has been and now is less than the Midwest condensery price. Class I price relationships with the adjacent Eastern South Dakota market in which Sioux Falls-Mitchell handlers sell milk have varied substantially as the differences between condensery prices and butter-powder values have changed. Sioux Falls handlers opposed change in the basic formula on the basis of price alignments with the Minneapolis-St. Paul order for which the Minnesota-Wisconsin price is now the basic formula price. Adjustment of Class I differentials on the basis of local factors is beyond the scope of action possible from a joint hearing of the nature held. On the other hand the Sioux Falls-Mitchell basic formula price has not been equal to the Midwest condensery price nor is it now equal to that price. It is concluded that present relationships with the Eastern South Dakota market will be preserved by a decrease of 10 cents (from $1.40 to $1.30) in the Class I differential of the Sioux Falls-Mitchell order. This will also restore a fixed alignment with the Minneapolis-St. Paul order similar to that in effect before amendment of the basic formula price of that order. Further alignment of Class I prices between these markets to reflect current supply and marketing conditions can be done only on the basis of further hearings of a more localized nature.

No basic formula prices are contained in eight of the orders under consideration. Class I prices of the Red River Valley order are based on those of the Oklahoma Metropolitan order, those of the Mississippi Delta and Gulf Coast orders on the Central Mississippi price, while the North Texas price determines prices in San Antonio, Central West Texas, Austin-Waco, Corpus Christi and Lubbock-Plainview. No amendment to the Red River Valley order will be required to carry out the conclusions of this decision but amendment of the other orders named will be required by conclusions with respect to another issue of the hearing.

2. Prices under all orders should be stated on a 3.5 percent butterfat basis.

Prices under the Appalachian, Neosho Valley, Chattanooga, New Orleans, Northern Louisiana, Nashville, Knox-

ville, Fort Smith, Central Mississippi, Mississippi Delta, Mississippi Gulf Coast, Lubbock-Plainview, North Texas, San Antonio, Central West Texas, Austin-Waco, Corpus Christi, and Texas Panhandle orders are now stated on a 4.0 percent butterfat basis. Prices under the Wichita and Southwest Kansas orders are stated on a 3.8 percent butterfat basis.

In order that the uniformity of basic formula prices provided herein may be maintained, class and producer prices in these orders should be stated at the same butterfat content, 3.5 percent, as for other markets involved in this hearing and for the 38 other markets now using this common basic formula price.

Provision is made that change in the basic test will not affect the level of the Class II (and Class III in some orders) price(s). Prices presently computed at 4.0 or 3.8 percent are converted to 3.5 percent prices by use of the Class II butterfat differentials of the respective orders. Producer prices stated on a 3.5 percent basis will aid in making price comparisons among markets. The producer price at any given test will remain the same whether computed on a 3.5 percent basis or at another test. Cooperative associations distributing returns to their member producers are not prevented from using another basis if they so choose.

3. *Conforming changes.* Conforming changes are adopted in a substantial number of the orders to continue without change pricing provisions for milk in classes other than Class I. Such changes consist principally in setting forth under the pricing provisions for such classes of milk present basic formula factors now incorporated therein by reference.

All but one of the orders considered herein use a basic formula price determined from the preceding month's condensery price or product prices to determine the current month's Class I price. For uniformity of language, the basic formula price of each order has been defined as the manufacturing milk pay price for the current month, and use of the basic formula price of the preceding month has been specified in the Class I pricing provision. In order that the uniform basic formula price adopted herein may be applied uniformly to the same period in all orders affected, the order for the Tri-State area, which presently uses the current condensery price or product values, is amended to conform to the other orders. Since the Class I price for this order is now announced on the 5th day after the end of the month to which it applies, the present provisions will be applicable with respect to computation and announcement of prices for the month preceding the effective date of this amendment and the amended provisions will apply to the month following the effective date. Thus, announcement of the Class I price for the preceding month and that for the current month will on that occasion be made on the same day.

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

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

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

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

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

Recommended marketing agreements and orders amending the orders. The following orders amending the orders regulating the handling of milk in the specified marketing areas are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreements are not included in this decision because the regulatory provisions thereof would be the same as those contained in the respective orders, as hereby proposed to be amended:

Amendment to Part 1005 regulating the handling of milk in the Tri-State marketing area.

1. In § 1005.22(j), subparagraph (1) is revised to read as follows:

§ 1005.22 Duties.

* * * * *

(j) * * *

(1) On or before the 5th day of each month, the Class I price and the Class I butterfat differential for the month and the Class II and Class III prices and the Class II and Class III butterfat differentials for the preceding month, as computed pursuant to §§ 1005.50 through 10005.55; and

2. Section 1005.50 is revised to read as follows:

§ 1005.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department of Agriculture for the month. The basis formula price shall be rounded to the nearest full cent.

3. The introductory text of § 1005.51 is revised to read as follows:

§ 1005.51 Class I milk prices.

Subject to the provisions of §§ 1005.54 through 1005.57, the minimum price per hundredweight on a 3.5 percent butterfat content basis to be paid by each handler for producer milk classified as Class I milk for the month, shall be the basic formula price for the preceding month determined pursuant to § 1005.50 adjusted as follows:

4. Paragraph (b) of § 1005.53 is revised to read as follows:

§ 1005.53 Class III milk prices.

* * * * *

(b) For each month except April, May, June and July, the price for Class III milk shall be the price (rounded to the nearest one-tenth cent) computed pursuant to subparagraph (1) or subparagraph (2) of this paragraph, whichever is higher:

(1) The average of the basic (or field) prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture:

Present Operator and Location

Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(2) The price computed by adding together the plus values determined pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the average price per pound of butter for the month as described in § 1005.50, subtract three cents, add 20 percent thereof, and then multiply by 3.5; and

(ii) From the average of the carlot prices per pound of nonfat dry milk for human consumption, spray and roller process, f.o.b. manufacturing plants in the Chicago area, as published by the

Department of Agriculture for the period from the 26th day of the previous month through the 25th day of the current month, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.965.

5. Section 1005.54 is amended by revising paragraph (a) and paragraph (b) to read as follows:

§ 1005.54 Butterfat differentials to handlers.

* * * * *

(a) *Class I milk.* Add 1.0 cent to the butterfat differential for Class II and Class III milk for the preceding month computed pursuant to paragraph (b) of this section;

(b) *Class II and Class III milk.* Subtract 3.0 cents from the average price per pound of butter for the month as described in § 1005.50 and multiply by 0.119.

Amendment to Part 1011 regulating the handling of milk in the Appalachian marketing area.

1. Section 1011.50 is revised to read as follows:

§ 1011.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1011.51 paragraphs (a) and (b) (1) and (2) are revised to read as follows:

§ 1011.51 Class price.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month, plus $1.67 during the months of March through July; and $2.11 during all other months.

(b) * * *

(1) The average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department on or before the 6th day after the end of the month, less five times the butterfat differential for the month computed pursuant to § 1011.52(b):

Company and Location

Borden Co., Lewisburg, Tenn.
Borden Co., Chester, S.C.
Carnation Co., Galax, Va.
Carnation Co., Murfreesboro, Tenn.
Carnation Co., Statesville, N.C.
Franklin Milk, Co., Jonesboro, Tenn.
Kraft Foods Co., Independence, Va.
Kraft Foods Co., Greeneville, Tenn.
Pet Milk Co., Greeneville, Tenn.
Pet Milk Co., Abingdon, Va.

(2) Add the amounts obtained pursuant to subdivisions (i) and (ii) of this subparagraph, subtract 75 cents and subtract five times the butterfat differential for the month computed pursuant to § 1011.52(b).

(i) Multiply the Chicago butter price by 4.8;

(ii) Multiply by 8.2 the weighted average of carlot prices per pound for spray process nonfat dry milk for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month, by the Department.

§§ 1011.52, 1011.71, 1011.72, 1011.91 [Amendment]

3. In §§ 1011.52, 1011.71, 1011.72 and 1011.91, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1065 regulating the handling of milk in the Nebraska-Western Iowa marketing area.

1. Section 1065.50 is revised to read as follows:

§ 1065.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

Amendment to Part 1066 regulating the handling of milk in the Sioux City, Iowa, marketing area.

1. Section 1066.50 is revised to read as follows:

§ 1066.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the United States Department of Agriculture for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1066.51 the introductory text of paragraph (a) is revised to read as follows:

§ 1066.51 Class prices.

* * * * *

(a) *Class I milk.* The price per hundredweight of Class I milk containing 3.5 percent butterfat shall be the basic formula price for the preceding delivery period, plus $1.40.

* * * * *

Amendment to Part 1071 regulating the handling of milk in the Neosho Valley marketing area.

1. Section 1071.50 is revised to read as follows:

§ 1071.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1071.51, paragraph (a) and the introductory text of paragraph (b) are revised to read as follows:

§ 1071.51 Class prices.

* * * * *

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding delivery period plus the following amounts per hundredweight: $1.00 during the delivery periods April through June, and $1.45 during the delivery periods of July through March: *Provided,* That for each of the delivery periods of September through December, such price shall not be less than that for the preceding delivery period, and that for each of the delivery periods of April through June such price shall be not more than that for the preceding delivery period: *And provided further,* That the price so determined shall be further adjusted by subtracting any amount by which such price exceeds the higher of, or adding any amount by which such price is less than the lower of the following:

(1) The price for Class I milk of 3.5 percent butterfat content established for the same month or delivery period pursuant to Part 1106 of this chapter regulating the handling of milk in the Oklahoma Metropolitan marketing area less 33 cents; or

(2) The price for Class I milk of 3.5 percent butterfat content established for the same month or delivery period under Part 1067 of this chapter regulating the handling of milk in the Osarks marketing area, plus 15 cents.

(b) *Class II milk.* The price per hundredweight for Class II milk shall be the higher of the price computed pursuant to subparagraphs (1) and (2) of this paragraph, less 5 times the butterfat differential for the respective month computed pursuant to § 1071.52(b).

§§ 1071.52, 1071.71, 1071.72, 1071.91 [Amendment]

3. In §§ 1071.52, 1071.71, 1071.72, and 1071.91, "4.0" is changed to "3.5" wherever it appears.

Amendent to Part 1072 regulating the handling of milk in the Sioux Falls-Mitchell, South Dakota, marketing area.

1. A new § 1072.50 is added to read as follows:

§ 1072.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by

a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1072.50 is redesignated as § 1072.51 and paragraph (a) therein is revised to read as follows:

§ 1072.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $1.30.

§ 1072.51 [Redesignation]

3. Section 1072.51 is redesignated as § 1072.52 and the reference "§ 1072.50" therein is revised to "§1072.51".

§ 1072.52 [Redesignation]

4. Section 1072.52 is redesignated as § 1072.53.

§ 1072.55 [Amendment]

5. In § 1072.55 the reference "1072.51" is revised to "1072.52".

Amendment to Part 1073 regulating the handling of milk in the Wichita, Kansas, marketing area.

1. Section 1073.50 is revised to read as follows:

§ 1073.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1073.51, the introductory texts of paragraph (a) and of paragraph (c) are revised to read as follows:

§ 1073.51 Class prices.

* * * * *

(a) *Class I milk.* The price per hundredweight shall be the basic formula price for the preceding month plus $1.57 during all months of the year, plus or minus a supply-demand adjustment computed as follows: *Provided,* That the Class I price so computed shall not be less than the Class I price for milk containing 3.5 percent butterfat for the same period pursuant to Federal Order No. 64 (Greater Kansas City) during each month of the period August through March and plus ten cents for each of the months of April through July, nor more than the Kansas City Class I price (3.5 percent butterfat content) plus fifty cents during each of the months of the period August through March and plus sixty cents for each of the months of April through July.

* * * * *

(c) *Class III milk.* The price per hundredweight shall be the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph, less three times the butterfat differential for the respective month computed pursuant to § 1073.52(c).

§§ 1073.52, 1073.71, 1073.80, 1073.81 [Amendment]

3. In §§ 1073.52, 1073.71, 1073.80 and 1073.81, "3.8" is changed to "3.5" wherever it appears.

Amendment to Part 1074 regulating the handling of milk in the Southwest Kansas marketing area.

1. Section 1074.50 is revised to read as follows:

§ 1074.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1074.51 the introductory text of paragraph (a), that part of paragraph (a) following subdivision (iii) of subparagraph (3) and paragraph (b) are revised to read as follows:

§ 1074.51 Class prices.

* * * * *

(a) *Class I milk.* The price per hundredweight shall be the basic formula price for the preceding month plus $1.65 during all months of the year plus or minus a supply-demand adjustment, computed as follows:

* * * * *

The price so determined shall be further adjusted by subtracting any amount by which such price exceeds the higher of, or adding any amount by which such price is less than the lower of, the price for Class I milk of 3.5 percent butterfat content established for the same month or delivery period pursuant to Part 1073 of this chapter regulating the handling of milk in the Wichita, Kansas, marketing area or the price of Class I milk of 3.5 percent butterfat content established for the same month or delivery period pursuant to Part 1132 of this chapter regulating the handling of milk in the Texas Panhandle marketing area during the months of March, April, May and June and 25 cents less than such price computed for the Texas Panhandle marketing area in all other months.

(b) *Class II milk.* The price per hundredweight shall be the average price reported by the Department for the current month for milk for manufacturing purposes, f.o.b. plant, United States, adjusted to a 3.8 percent butterfat basis by direct ratio, less three times the butterfat differential for the respective month computed pursuant to § 1074.52 (b).

§§ 1074.52, 1074.71, 1074.81 [Amendment]

3. In §§ 1074.52, 1074.71, and 1074.81, "3.8" is changed to "3.5" wherever it appears.

Amendment to Part 1075 regulating the handling of milk in the Black Hills, South Dakota, marketing area.

1. Section 1075.50 is revised to read as follows:

§ 1075.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. Paragraph (b) of § 1075.51 is revised to read as follows:

§ 1075.51 Class prices.

* * * * *

(b) *The Class II milk price.* The Class II milk price shall be the sum of the amounts computed pursuant to subparagraphs (1) and (2) of this paragraph:

(1) Subtract 6.5 cents from the Chicago butter price for the month and multiply the remainder by 4.2.

(2) From the simple average, as computed by the market administrator, of the arithmetical average of the carlot prices per pound of nonfat dry milk solids, spray and roller process for human consumption delivered at Chicago as reported for the month by the Department, subtract 6.5 cents and multiply the remainder by 7.913: *Provided,* That if the Department does not publish the above stated price for nonfat dry milk solids there shall be used in lieu thereof the price for nonfat dry milk solids, spray and roller process for human consumption, f.o.b. manufacturing plants in the Chicago area as published by the Department for the period from the 26th day of the preceding month through the 25th day of the current month.

Amendment to Part 1076 regulating the handling of milk in the Eastern South Dakota marketing area.

1. Section 1076.50 is revised to read as follows:

§ 1076.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

Amendment to Part 1090 regulating the handling of milk in the Chattanooga, Tennessee, marketing area.

1. Section 1090.50 is revised to read as follows:

§ 1090.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1090.51, the introductory text and paragraph (b) are revised to read as follows:

§ 1090.51 Class prices.

Subject to the provisions of §§ 1090.52 and 1090.53, the minimum prices per hundredweight of milk containing 3.5 percent butterfat, to be paid by each handler for milk received at his pool plant from producers during the month, shall be as follows:

* * * * *

(b) *Class II milk price.* For the months of February through August, the Class II milk price shall be the price computed pursuant to subparagraph (1) of this paragraph, and for all other months, the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph, adjusted in each case to a 3.5 percent butterfat basis by subtracting five times the butterfat differential for the month computed pursuant to § 1090.52(b) and rounding to the nearest cent.

(1) The average of the basic or field prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from dairy farmers during the month at the following plants or places, for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the month:

Company and Location

Kraft Foods Co., Fayetteville, Tenn.
Pet Milk Co., Greeneville, Tenn.
Carnation Co., Murfreesboro, Tenn.
Borden Co., Lewisburg, Tenn.

(2) The price per hundredweight computed as follows: Multiply the Chicago butter price by 4.8 and add to such sum 3¾ cents for each full one-half cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids, spray and roller process, for human consumption, f.o.b. Chicago area manufacturing plants, for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department of Agriculture, is above 5 cents.

3. Paragraph (b) of § 1090.52 is revised to read as follows:

§ 1090.52 Butterfat differentials to handlers.

* * * * *

(b) *Class II milk price.* Multiply the Chicago butter price for the month by 0.115: *Provided,* That for the months of February through August, such butterfat differential shall not exceed the result obtained by dividing the price computed pursuant to subparagraph (1) of § 1090.51(b) by 40, and for all other months, by dividing the higher of the prices computed pursuant to subparagraphs (1) and (2) of § 1090.51(b) by 40.

§§ 1090.52, 1090.71, 1090.72, 1090.73 [Amendment]

4. In §§ 1090.52, 1090.71, 1090.72 and 1090.73, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1094 regulating the handling of milk in the New Orleans, Louisiana, marketing area.

1. Section 1094.50 is revised to read as follows:

§ 1094.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. The introductory text of § 1094.51, the introductory text of paragraph (a); and paragraph (b) are revised to read as follows:

§ 1094.51 Class prices.

Subject to the provisions of §§ 1094.52 and 1094.53, the minimum class prices per hundredweight of milk containing 3.5 percent butterfat shall be determined for each month as follows:

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month, plus $2.51 during the months of March through June and $2.71 in all other months, plus or minus a supply-demand adjustment calculated for each month pursuant to subparagraphs (1) through (6) of this paragraph: *Provided,* That the Class I price for any month of September, October, or November shall not be lower, by more than 5 cents, than such price for the immediately preceding month and for any month of April, May or June of each year shall not be higher, by more than 5 cents, than such price for the immediately preceding month:

* * * * *

(b) *Class II milk price.* The Class II milk price shall be the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 4.0 percent butterfat content received from farmers during the month at the plants or places listed below for which prices have been reported to the market administrator or to the Department of Agriculture, subject to the adjustments provided in subparagraphs (1) and (2) of this paragraph: *Provided,* That in no case shall such price exceed the basic formula price by more than 13.5 cents:

Present Operator and Location

Pet Milk Co., Kosciusko, Miss.
Borden Co., Starkville, Miss.
McClendon Cheese Co., Newton, Miss.
Borden Co., Macon, Miss.

(1) Subtract five times the butterfat differential computed pursuant to § 1094.52(b); and

(2) Add 28.5 cents during the months of February through August and 38.5 cents during all other months.

§§ 1094.52, 1094.71, 1094.72, 1094.73, 1094.74, 1094.75 [Amendment]

3. In §§ 1094.52, 1094.71, 1094.72, 1094.73, 1094.74 and 1094.75, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1096 regulating the handling of milk in the Northern Louisiana marketing area.

1. Section 1096.50 is revised to read as follows:

§ 1096.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1096.51 is revised to read as follows:

§ 1096.51 Class prices.

Subject to the provisions of §§ 1096.52 and 1096.53, the minimum prices per hundredweight to be paid by each handler for milk received from producers during the month shall be as follows:

(a) *Class I milk price.* For the months of June 1962 through August 1963 the Class I milk price shall be the basic formula price for the preceding month plus $2.27.

(b) *Class II milk price.* The Class II milk price shall be computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph, subtracting five times the butterfat differential computed pursuant to § 1096.52 (b), rounding to the nearest one-tenth cent and, during the months of March through June, deducting 5 cents.

(1) From the Chicago butter price, subtract 3 cents, add 20 percent thereof, and multiply by 4.0;

(2) From the simple average as computed by the market administrator of the weighted average of carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department, deduct 5.5 cents and multiply by 8.16.

§§ 1096.52, 1096.71, 1096.72, 1096.73, 1096.74 [Amendment]

3. In §§ 1096.52, 1096.71, 1096.72, 1096.73, and 1096.74, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1098 regulating the handling of milk in the Nashville, Tennessee, marketing area.

1. Section 1098.50 is revised to read as follows:

§ 1098.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1098.51 the introductory text of paragraph (a); and paragraph (b) are revised to read as follows:

§ 1098.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month, plus $1.53 during the months of August through January, plus $1.23 during all other months and plus or minus a supply-demand adjustment calculated for each month as follows:

* * * * *

(b) *Class II milk price.* The Class II milk price shall be the price determined pursuant to subparagraph (1) of this paragraph not to exceed the highest of the prices computed pursuant to subparagraphs (2), (3), and (4) of this paragraph, and adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential for the month computed pursuant to § 1098.52(b), and rounding to the nearest cent.

(1) To the average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the month at the following milk plants for which prices have been reported to the market administrator or to the Department on or before the 6th day after the end of the month:

Present Operator and Location

Carnation Co., Murfreesboro, Tenn.
Kraft Foods Co., Gallatin, Tenn.
Kraft Foods Co., Pulaski, Tenn.
Borden Co., Fayetteville, Tenn.
Borden Co., Lewisburg, Tenn.
Borden Co., Carthage, Tenn.
Summer County Cooperative Creamery, Gallatin, Tenn.
Swift and Co., Lawrenceburg, Tenn.
Wilson and Co., Murfreesboro, Tenn.

Add 25 cents during the months of February through August and add 35 cents during all other months.

(2) To the average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following milk plants for which prices have been reported to the market administrator or to the Department on or before the 5th day after the end of the month:

Present Operator and Location

Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add an amount computed by multiplying the butterfat differential computed pursuant to § 1098.52(a) by 5.

(3) The price per hundredweight obtained by adding together the plus values computed pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) Multiply by 4 the average price per pound of butter as described in § 1098.50 and add 20 percent thereof;

(ii) From the simple average, as computed by the market administrator, of the weighted averages of the carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area for the period from the 26th day of the immediately preceding month through the 25th day of the current month, as published by the Department, subtract 5 cents and multiply by 7.5.

(4) The price per hundredweight computed as follows:

(i) Multiply by 6 the average price per pound of butter as described in § 1098.50;

(ii) Add 2.4 times the average of the weekly prevailing price per pound of "Twins" during the month on the Wisconsin Cheese Exchange: *Provided,* That if the price of "Twins" is not quoted on such Exchange, the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

§§ 1098.52, 1098.71, 1098.72, 1098.83 [Amendment]

3. In §§ 1098.52, 1098.71, 1098.72 and 1098.83, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1101 regulating the handling of milk in the Knoxville, Tennessee, marketing area.

1. Section 1101.50 is revised to read as follows:

§ 1101.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department of Agriculture for the month. The basic formula price shall be rounded to the nearest full cent.

2. Paragraph (b) of § 1101.51 is revised to read as follows:

§ 1101.51 Class prices.

* * * * *

(b) *Class II milk price.* The price for Class II milk shall be the price determined pursuant to subparagraph (1) of this paragraph not to exceed the highest of the prices computed pursuant to subparagraphs (2), (3) and (4) of this paragraph, and adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential for the month computed pursuant to § 1101.52(b) and rounding to the nearest cent.

(1) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture, on or before the 6th day after the end of the month:

Company and Location

Pet Milk Co., Bowling Green, Ky.
Pet Milk Co., Greeneville, Tenn.
Pet Milk Co., Abingdon, Va.
Carnation Co., Murfreesboro, Tenn.
Carnation Co., Statesville, N.C.
Carnation Co., Galax, Va.
Borden Co., Lewisburg, Tenn.
Borden Co., Chester, S.C.
Kraft Foods Co., Greeneville, Tenn.

Add 10 cents in the months of February through August and add 25 cents in all other months.

(2) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the month:

Company and Location

Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add an amount computed by multiplying the butterfat differential pursuant to § 1101.85(a) by 5.

(3) The price per hundredweight computed as follows:

(i) Multiply by 6 the average price per pound of butter as described in § 1101.50;

(ii) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the month on the Wisconsin Cheese Exchange: *Provided,* That if the price of "Twins" is not quoted on such Exchange the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

(4) The price per hundredweight obtained by adding together the plus values computed pursuant to subdivisions (i) and (ii) of this subparagraph.

(i) Multiply by 4 the average price per pound of butter as described in § 1101.50 and add 20 percent thereof;

(ii) From the arithmetical average of carlot prices per pound of nonfat dry milk solids, spray and roller process, for human consumption, f.o.b. Chicago area manufacturing plants, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department of Agriculture, subtract 5 cents and multiply by 7.5.

3. Paragraph (b) of § 1101.52 is revised to read as follows:

§ 1101.52 Butterfat differentials to handlers.

* * * * *

(b) *Class II milk.* Multiply the average price per pound of butter for the month as described in § 1101.50 by 0.115: *Provided,* That such butterfat differential shall not exceed the result obtained by dividing the price computed pursuant to subparagraph (1) of § 1101.51(b) by 40; nor exceed the result obtained by dividing the highest of the prices, computed pursuant to subparagraphs (2), (3) and (4) of § 1101.51(b), by 40.

§§ 1101.52, 1101.71, 1101.72, 1101.85 [Amendment]

4. In §§ 1101.52, 1101.71, 1101.72 and 1101.85, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1102 regulating the handling of milk in the Fort Smith, Arkansas, marketing area.

1. Section 1102.50 is revised to read as follows:

§ 1102.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1102.51 is revised to read as follows:

§ 1102.51 Class prices.

Subject to the provisions of § 1102.52 the minimum prices per hundredweight to be paid by each handler for milk received at his plant from producers during the month shall be as follows:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.45 for the months of April, May and June, and plus $1.85 for all other months: *Provided,* That for each of the months of October, November, and December, such price shall not be less than that for the preceding month, and that for each of the months of April, May and June, such price shall not be more than that for the preceding month.

(b) *Class II milk.* The price for Class II milk shall be the average of the basic or field prices reported to have been paid or to be paid for ungraded milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department, less five times the butterfat differential for the respective month computed pursuant to § 1102.52(b):

Present Operator and Location

Pet Milk Co., Siloam Springs, Ark.
Sugar Creek Creamery, Russellville, Ark.
Ozark Creamery, Ozark, Ark.

§§ 1102.52, 1102.71, 1102.72, 1102.81 [Amendment]

3. In §§ 1102.52, 1102.71, 1102.72 and 1102.81, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1103 regulating the handling of milk in the Central Mississippi marketing area..

1. Section 1103.50 is revised to read as follows:

§ 1103.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1103.51 is revised to read as follows:

§ 1103.51 Class prices.

Subject to the provisions of §§ 1103.52 and 1103.53, the minimum prices per hundredweight for the month shall be as follows:

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $2.16.

(b) *Class II milk price.* The Class II milk price shall be the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 4.0 percent butterfat content received from farmers during the month at the plants or places listed below for which prices have been reported to the market administrator or to the Department of Agriculture subject to the adjustments provided in subparagraphs (1) and (2) of this paragraph;

Present Operator and Location

McClendon Cheese Co., Newton, Miss.
Borden Co., Starkville, Miss.
Carnation Co., Tupelo, Miss.
Pet Milk Co., Kosciusko, Miss.

(1) Subtract five times the butterfat differential computed pursuant to § 1103.52(b); and

(2) Add 10 cents during each of the months of March through June and 20 cents during all other months.

§§ 1103.52, 1103.71, 1103.72, 1103.91 [Amendment]

3. In §§ 1103.52, 1103.71, 1103.72, and 1103.91, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1105 regulating the handling of milk in the Mississippi Delta marketing area.

1. Section 1105.50 is revised to read as follows:

§ 1105.50 Class prices.

Subject to the provisions of §§ 1105.51 and 1105.52, the minimum prices per hundredweight for the month shall be as follows:

(a) *Class I milk price.* The Class I milk price shall be the Class I milk price established pursuant to § 1103.51(a) of this chapter regulating the handling of milk in the Central Mississippi marketing area less 16 cents.

(b) *Class II milk price.* The Class II milk price shall be the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 4.0 percent butterfat content received from dairy farmers during the month at the plants or places listed below for which prices have been reported to the market administrator or to the Department of Agriculture, subject to the adjustment provided in subparagraph (1) and (2) of this paragraph;

Present Operator and Location

Kraft Cheese Co., Houston, Miss.
Borden Co., Starkville, Miss.
Carnation Co., Tupelo, Miss.
Pet Milk Co., Kosciusko, Miss.

(1) Subtract five times the butterfat differential computed pursuant to § 1105.51(b); and

(2) Add 10 cents during each month of February through August and 20 cents during all other months.

§§ 1105.51, 1105.71, 1105.72, 1105.73, 1105.74, 1105.75 [Amendment]

2. In §§ 1105.51, 1105.71, 1105.72, 1105.73, 1105.74, and 1105.75 "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1106 regulating the handling of milk in the Oklahoma Metropolitan marketing area.

1. Section 1106.50 is revised to read as follows:

§ 1106.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1106.51, the introductory text of paragraph (a) is revised to read as follows:

(a) *Class I milk.* The basic formula price for the preceding month plus $1.48 during the months of April, May and June and plus $1.88 during all other months: *Provided,* That for each of the months of September, October, November and December, such price shall not

be less than that for the preceding month, and that for each of the months of April, May and June such price shall not be more than that for the preceding month. To this price add or subtract a "supply-demand adjustment" of not more than 50 cents, computed as follows:

Amendment to Part 1107 regulating the handling of milk in the Mississippi Gulf Coast marketing area.

1. Section 1107.50 is revised to read as follows:

§ 1107.50 Class prices.

Subject to the provisions of §§ 1107.51 and 1107.52, the minimum prices per hundredweight for the month shall be as follows:

(a) *Class I milk price.* The Class I milk price shall be the Class I milk price established pursuant to § 1103.51(a) of this chapter regulating the handling of milk in the Central Mississippi marketing area plus 10 cents.

(b) *Class II milk price.* The Class II milk price shall be the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 4.0 percent butterfat content received from dairy farmers during the month at the plants or places listed below for which prices have been reported to the market administrator or to the Department of Agriculture, subject to the adjustments provided in subparagraphs (1) and (2) of this paragraph;

Present Operator and Location

McClendon Cheese Co., Newton, Miss.
Borden Co., Starkville, Miss.
Carnation Co., Tupelo, Miss.
Pet Milk Co., Kosciusko, Miss.

(1) Subtract five times the butterfat differential computed pursuant to § 1107.51(b); and

(2) Add 10 cents during each of the months of March through July and 20 cents during all other months.

§§ 1107.51, 1107.71, 1107.72, 1107.80, 1107.81 [Amendment]

2. In §§ 1107.51, 1107.71, 1107.72, 1107.80 and 1107.81 "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1120 regulating the handling of milk in the Lubbock-Plainview, Texas, marketing area.

1. In § 1120.50 the introductory text of paragraph (b) is revised as follows:

§ 1120.50 Class prices.

* * * * *

(b) *Class II price.* The Class II milk price shall be computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph, subtracting five times the butterfat differential computed to § 1120.51(b), rounding to the nearest full cent and, during the months of March through June, deducting 13 cents.

§§ 1120.51, 1120.71, 1120.72, 1120.73, 1120.74 [Amendment]

2. In §§ 1120.51, 1120.71, 1120.72, 1120.73 and 1120.74, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1126 regulating the handling of milk in the North Texas marketing area.

1. Section 1126.50 is revised to read as follows:

§ 1126.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential, rounded to the nearest one-tenth cent, computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1126.51 paragraph (b) is revised to read as follows:

§ 1126.51 Class prices.

* * * * *

(b) *Class II milk price.* The Class II milk price shall be the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph for the months of July through March and for all other months the higher of the price computed pursuant to subparagraph (1), less 14 cents, and the price computed pursuant to subparagraph (2) of this paragraph, all adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential computed pursuant to § 1126.52(b):

(1) The price per hundredweight, rounded to the nearest one-tenth cent, computed by adding together the plus values computed pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department during the month, subtract 3 cents, add 20 percent thereof, and multiply by 4.0;

(ii) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, multiply by 8.5 and then multiply by 0.96.

(2) The price per hundredweight, rounded to the nearest one-tenth cent, computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month.

§§ 1126.52, 1126.55, 1126.71, 1126.72, 1126.73, 1126.91 [Amendment]

3. In §§ 1126.52, 1126.55, 1126.71, 1126.72, 1126.73, and 1126.91, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1127 regulating the handling of milk in the San Antonio, Texas, marketing area.

1. In § 1127.52, the introductory text of subparagraph (1) of paragraph (a) and paragraph (b) are revised to read as follows:

§ 1127.52 Class II and Class II–A milk.

(a) *Class II milk.* * * *

(1) The sum of the amounts computed pursuant to subdivisions (i) and (ii) of this subparagraph, adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential computed pursuant to § 1127.53(b) and rounding to the nearest full cent:

* * * * *

(b) *Class II-A milk.* The minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II-A milk shall be computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month involved, adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential computed pursuant to § 1127.53(b), and rounding to the nearest full cent.

§§ 1127.53, 1127.71, 1127.81 [Amendment]

2. In §§ 1127.53, 1127.71, and 1127.81, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1128 regulating the handling of milk in the Central West Texas marketing area.

1. In § 1128.51 the introductory text of paragraph (a) and paragraph (b) are revised to read as follows:

§ 1128.51 Class II and Class II–A milk.

(a) *Class II milk.* Subject to the provisions of § 1128.52, the minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II milk shall be computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph and subtracting five times the butterfat differential computed pursuant to § 1128.52 (b):

* * * * *

(b) *Class II-A milk.* Subject to the provisions of § 1128.52, the minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II-A milk shall be computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month involved and subtracting five times the butterfat differential computed pursuant to § 1128.52(b).

§§ 1128.52, 1128.71, 1128.72, 1128.73, 1128.92 [Amendment]

2. In §§ 1128.52, 1128.71, 1127.72, 1128.73 and 1128.92, "4.00" is changed to "3.5" wherever it appears.

Amendment to Part 1129 regulating the handling of milk in the Austin-Waco marketing area.

1. In § 1129.51 the introductory text of paragraph (a) and paragraph (b) are revised to read as follows:

§ 1129.51 Class II milk.

* * * * *

(a) The sum of the plus values of subparagraphs (1) and (2) of this paragraph, less five times the butterfat differential computed pursuant to § 1129.52(b):

* * * * *

(b) The price per hundredweight computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month, and subtracting five times the butterfat differential computed pursuant to § 1129.52(b).

§§ 1129.52, 1129.71, 1129.72, 1129.91 [Amendment]

2. In §§ 1129.52, 1129.71, 1129.72 and 1129.91, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1130 regulating the handling of milk in the Corpus Christi, Texas, marketing area.

1. In § 1130.50 the introductory text of subparagraph (1) of paragraph (b) and paragraph (c) are revised to read as follows:

§ 1130.50 Class prices.

* * * * *

(b) *Class II milk price.* * * *

(1) The sum of the plus values of subdivisions (i) and (ii) of this subparagraph, less five times the butterfat differential computed pursuant to § 1130.52(b):

* * * * *

(c) *Class II–A milk price.* The minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II–A milk shall be computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month and subtracting five times the butter fat differential computed pursuant to § 1130.52(b).

§§ 1130.52, 1130.71, 1130.72, 1130.81 [Amendment]

2. In §§ 1130.52, 1130.71, 1130.72 and 1130.81, "4.0" is changed to "3.5" wherever it appears.

Amendment to Part 1132 regulating the handling of milk in the Texas Panhandle marketing area.

1. Section 1132.50 is revised to read as follows:

§ 1132.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1132.51, paragraph (b) is revised to read as follows:

§ 1132.51 Class prices.

* * * * *

(b) *Class II milk price.* The Class II milk price shall be computed by adding together the plus value of subparagraphs (1) and (2) of this paragraph, subtracting five times the butterfat differential computed pursuant to § 1132.52(b), rounding to the nearest full cent and, during the months of March through June, deducting 13 cents.

(1) Subtract 3 cents from the Chicago butter price and multiply the remainder by 4.8;

(2) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, and multiply by 8.16.

§§ 1132.52, 1132.55, 1132.71, 1132.72, 1132.73, 1132.81 [Amendment]

3. In §§ 1132.52, 1132.55, 1132.71, 1132.72, 1132.73 and 1132.81, "4.0" is changed to "3.5" wherever it appears.

Amendment to part 1134 regulating the handling of milk in the Western Colorado marketing area.

1. Section 1134.50 is revised to read as follows:

§ 1134.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamary butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1134.51(b) is revised to read as follows:

§ 1134.51 Class prices.

* * * * *

(b) *Class II milk.* The Class II price shall be the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph for the current month rounded to the nearest one-tenth cent:

(1) The average of the basic or field prices paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the Department:

Present Operator and Location

Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(2) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this paragraph:

(i) From the butter price specified in § 1134.50 for the month subtract 3 cents, add 20 percent thereof, and multiply by 3.5.

(ii) From the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound of nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.965.

Amendment to Part 1135 regulating the handling of milk in the Colorado Springs-Pueblo marketing area.

1. Section 1135.50 is revised to read as follows:

§ 1135.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. Paragraph (b) § 1135.51 is revised to read as follows:

§ 1135.51 Class prices.

* * * * *

(b) *Class II milk.* During the months of March through July, the price per hundredweight specified in subparagraph (1) of this paragraph, and during all other months such price plus 10 cents: *Provided,* That in no event shall such price exceed the higher of the prices computed pursuant to subparagraphs (1) and (2):

(1) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the butter price specified in § 1135.50 for the month, subtract 3 cents, add 20 percent thereof, and multiply by 3.5.

(ii) From the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound of nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufactur-

ing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month by the Department, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.965.

(2) The average of the basic, or field prices paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the Department:

Present Operator and Location

Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co, West Bend, Wis.

§ 1135.53 [Amendment]

3. In § 1135.53 (a) and (b) "§ 1135.50 (b) (1)" is revised to "§ 1135.50".

Amendment to Part 1137 regulating the handling of milk in the Eastern Colorado marketing area.

1. Revise § 1137.50 to read as follows:

§ 1137.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. Paragraph (b) of § 1137.51 is revised to read as follows:

§ 1137.51 Class prices.

* * * * *

(b) *Class II milk.* During the months of March through July, the price per hundredweight specified in subparagraph (1) of this paragraph, and during all other months such price plus 10 cents: *Provided,* That in no event shall such price exceed the higher of the prices computed pursuant to subparagraphs (1) and (2):

(1) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the butter price specified in § 1137.50 for the month subtract 3 cents, add 20 percent thereof, and multiply by 3.5.

(ii) From the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound of nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, multiply by 8.5 and then multiply by 0.965.

(2) The average of the basic or field prices paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the Department:

Present Operator and Location

Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co, West Bend, Wis.

§ 1137.53 [Amendment]

3. In § 1137.53 (a) and (b) "§ 1137.50 (b) (1)" is revised to "§ 1137.50".

Signed at Washington, D.C., on July 6, 1962.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 62-6758; Filed, July 10, 1962; 8:54 a.m.]

[7 CFR Part 1065]

[Docket No. AO-86-A13]

MILK IN NEBRASKA-WESTERN IOWA MARKETING AREA

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

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

Preliminary statement. The hearing on the record of which the proposed amendment, as hereinafter set forth, to the tentative marketing agreement and to the order was formulated, was conducted at Omaha, Nebraska, on June 5, 1962, pursuant to notice thereof which was issued on May 16, 1962 (27 F.R. 4812), as subsequently amended pursuant to notice which was issued May 23, 1962 (27 F.R. 4967).

The material issue on the record of the hearing relates to the classification of sterilized cream in hermetically sealed containers.

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

The classification of sterilized cream in hermetically sealed containers. Sterilized cream in hermetically sealed containers which is received at pool plants and which is not reprocessed or converted to a fluid milk product during the month should be classified as Class II milk. This change may be accomplished by excluding the item from the list of products specified as "fluid milk products".

Under the present terms of the order, although concentrated milk products similarly packaged are excluded from the definition of fluid milk products, sterilized cream in hermetically sealed containers is not specifically excluded. Under the classification provisions of the order, items enumerated as fluid milk products which are disposed of on routes during the month by fully regulated handlers are classified as Class I.

Handlers operating pool plants at which sterilized cream in hermetically sealed containers is received for subsequent disposition on routes proposed that the product be excluded from the scope of the fluid milk product definition.

The product in question presently is not processed and packaged at any pool plant. Instead it is processed in California from manufacturing grade milk produced in that state. The processing consists of sterilizing cream with a small amount of a vegetable stabilizer added and packaging the product aseptically under vacuum with a hermetic seal. Some is packaged under the label of the milk distributor. Other batches are packaged under the label of the processor.

Those opposed to changing the classification of the product held that the product was competitive with whipping cream (it is labeled "sterilized cream for whipping"), which is required to be made from Grade A sources. Following the introduction of the product into the market, sales of fresh cream (27 percent or more butterfat) declined significantly. Opponents further contended that in an important portion of the marketing area the product was required to be made from Grade A sources of milk and to be labeled Grade A under the applicable health regulations.

The product in fact is not made from Grade A milk and does not carry a Grade A label. If the local health authorities were to require that it be made from locally approved Grade A sources of milk supply, it is evident that the product would no longer be sold in their jurisdictions. The volume of pool handlers' sales of the product to which producer milk is now allocated as Class I would not then be available for such purpose.

Under the classification plan of this order, products which are required to be produced from locally approved milk are in Class I. Milk used for products which need not be produced from approved milk are in Class II. Milk for this product thus should be in Class II.

Since the product is not produced from pooled milk the change in classification will not affect the production of this item but affects the classification of producer milk through the allocation procedure.

The revision of the fluid milk products definition by excluding from the scope of that term products named therein which are sterilized and packaged in hermetically sealed containers will accomplish the desired effect.

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

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

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

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

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

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

1. Section 1065.16 is revised to read as follows:

§ 1065.16 Fluid milk product.

"Fluid milk product" means milk, skim milk, buttermilk, flavored milk, yogurt, milk drinks (plain or flavored), concentrated milk (frozen or fresh), cream, cultured or sour cream or any mixture in fluid form of milk or skim milk and cream (except frozen cream, aerated cream products, ice cream mix, frozen dessert mixes, eggnog, evaporated or condensed milk, and sterilized products packaged in hermetically sealed containers).

Signed at Washington, D.C., on July 6, 1962.

JOHN P. DUNCAN, JR.,
Assistant Secretary.

[F.R. Doc. 62-6759; Filed, July 10, 1962; 8:54 a.m.]

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 50-202]

SCIENTIFIC, INDUSTRIAL, AND LABORATORY INSTRUMENTS INDUSTRY

Extension of Date to Fill Proposed Findings of Fact and Conclusions

It is hereby ordered that interested persons who appeared at the hearing to determine the prevailing minimum wages in the above-captioned industry may have until July 20, 1962, in order to file proposed findings of fact and conclusions of law together with reasons for such proposals.

Signed at Washington, D.C., this 6th day of July 1962.

ARTHUR J. GOLDBERG,
Secretary of Labor.

[F.R. Doc. 62-6753; Filed, July 10, 1962; 8:53 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that petitions (FAP 794, 805, and 837) have been filed by Paper Cup and Container Institute, 250 Park Avenue, New York 17, New York; Paper Can Association, 1532 Philadelphia National Bank Building, Philadelphia 7, Pennsylvania; and Sealright-Oswego Falls Corporation, Fulton, New York, proposing the issuance of a regulation to provide for the safe use of coated and uncoated paper and paperboard as articles or components of articles that contact food. The various substances involved are not being listed in this notice since they are set forth in other publications proposing regulations for paper and paperboard containers.

Dated: July 3, 1962.

[SEAL] J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 62-6737; Filed, July 10, 1962; 8:53 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 804) has been filed by the National Association of Sanitary Milk Bottle Closure Manufacturers, 1532 Philadelphia National Bank Building, Philadelphia 7, Pennsylvania, proposing the issuance of a regulation to provide for the safe use of coated and uncoated paper and paperboard and molded plastics as the food-contact surface of closures for milk and other liquid-food containers used in the producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding of food. The various substances involved are not being listed in this notice since they are set forth in other publications proposing regulations for paper and paperboard containers.

Dated: July 3, 1962.

[SEAL] J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 62-6738; Filed, July 10, 1962; 8:53 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 600]

[Airspace Docket No. 61-NY-122]

FEDERAL AIRWAYS

Proposed Alterations

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 600.1689, 600.1740, and 600.6282 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 282 is designated as that airspace over United States territory from the INT of the Massena, N.Y., VOR direct radial to the Albany, N.Y., VORTAC and the St. Eustache, Quebec, VOR 201° radial to the St. Eustache, VOR. Intermediate altitude VOR Federal airway No. 1689 extends from Massena, N.Y., as a 16-mile-wide airway to Albany, N.Y. Intermediate altitude VOR Federal airway

No. 1740 extends from Albany, N.Y., as a 16-mile-wide airway to Hartford, Conn.

The Federal Aviation Agency has under consideration the following airspace proposals:

1. Redesignate Victor 282 as that airspace over United States territory from the INT of the Massena VOR 163° and the St. Eustache 200° radials to the St. Eustache VOR.

2. Alter Victor 1689 to extend from the Albany, N.Y., VOR as a 16-mile-wide airway via the Brandon, N.Y., Intersection (intersection of the Massena, N.Y., VOR 163° and the St. Eustache, Quebec, VOR 200° True radials) to the intersection of the Massena VOR 096° and St. Eustache VOR 200° True radials; thence as a 10-mile-wide airway via the St. Eustache VOR 200° True radial to the U.S./Canadian border.

3. Extend Victor 1740 from the Albany VOR as a 16-mile wide airway direct to the Massena VOR.

These proposed actions would provide coincidental alignment of Victor 282 and Victor 1689 between the Brandon Intersection and the International border. This would provide an additional transition route for intermediate air traffic operating between Montreal, Quebec, and the New York Metropolitan Area. The extension of Victor 1740 would provide a replacement route for the segment of Victor 1689 between the Brandon Intersection and the Massena VOR. The airway width reduction proposed for Victor 1689 would provide route width continuity at the junction with Canadian Victor 282 airway at the U.S./Canadian border. Coordination has been effected with the Canadian Department of Transport concerning these proposed airspace actions.

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

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

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

Issued in Washington, D.C., on July 3, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–6726; Filed, July 10, 1962; 8:49 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 62–WE–44]

FEDERAL AIRWAY AND ASSOCIATED CONTROL AREAS

Proposed Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6023 and 601.6023 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 23 is designated in part from Fort Jones, Calif., to Medford, Oreg. The Federal Avaition Agency has under consideration the designation of a west alternate to Victor 23 from the Fort Jones VOR via the intersection of the Fort Jones VOR 340° and the Medford VORTAC 235° True radials; to the Medford VORTAC. There would be no requirement for controlled airspace between the main airway and the proposed west alternate airway.

The proposed west alternate would provide an airway for southbound aircraft departing Medford to climb to assigned altitudes prior to returning to the main airway. At present, aircraft are required to climb to assigned altitude in the southwest quadrant of the Medford VORTAC and return over the VORTAC prior to heading on course on Victor 23.

The control areas associated with this proposed airway segment would extend from 700 feet above the surface to the base of the continental control area. Separate actions will be initiated to implement on an area basis Amendment 60–21 to Part 60 of the Civil Air Regulations.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

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

Issued in Washington, D.C., on July 3, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–6727; Filed, July 10, 1962; 8:49 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 62–CE–42]

CONTROL ZONE

Proposed Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration designation of a control zone at the Mid-Continent Airport, Kansas City, Mo. The proposed control zone would be designated from 0700 to 2300 hours local time, daily, within a 5-mile radius of the Mid-Continent Airport (latitude 39°18'05" N., longitude 94°43'-36" W.). This control zone would provide protection for aircraft operating at the Mid-Continent Airport. Communications and weather reporting service would be provided to aircraft operating within the proposed control zone by the FAA control tower scheduled to be commissioned at the Mid-Continent Airport approximately December 1, 1962.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in

order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

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

Issued in Washington, D.C., on July 3, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–6724; Filed, July 10, 1962; 8:48 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 62–WA–67]

JET ADVISORY AREA

Proposed Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendements to §§ 602.9 and 602.300 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of a terminal radar jet advisory area from flight level 240 to flight level 390 inclusive and within 16 miles either side of the following route to be used by civil turbojet air carrier aircraft operating between United States terminals and San Juan, Puerto Rico, via control area extension 1181:

From the Norfolk, Va., VORTAC via the Norfolk VORTAC direct radial to the Weeksville, N.C., RBN; thence via the Weeksville RBN 133° True bearing to the boundary of the continental control area.

The designation of the proposed terminal radar jet advisory area would provide a defined area wherein jet advisory service would be provided to civil turbojet air carrier aircraft while operating between Norfolk and control area extension 1181.

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

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C.

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

Issued in Washington, D.C., on July 3, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–6725, Filed, July 10, 1962; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 14364 (RM–261, RM–310); FCC 62–709]

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS (ERIE AND SHARON, PA.)

Notice of Further Proposed Rule Making

1. Notice is hereby given of further proposed rule making in the above-mentioned matter looking toward amendment of § 3.606 *Table of Assignments*, Television Broadcast Stations.

2. *Status of channels involved.* Channels, 12, 35+, *41–, and 66+ are presently assigned to Erie. 12 and 35 are in use by WICU–TV and WSEE, respectively, and Anscombe has a construction permit for 66. There are no applications on file for Channel 41 in Erie nor for any of the other channels proposed to be shifted.

3. *Anscombe's proposal.* On November 3, 1961, the Commission released a notice of proposed rule making (FCC 61–1312) inviting comments on the proposal of Alfred E. Anscombe, holder of a construction permit for Channel 66 in Erie, Pennsylvania, requesting that Channel 24 be substituted for Channel 66 in Erie, as follows:

City	Channel No.	
	Delete	Add
Erie, Pa	66+	24+
Sharon, Pa	39+	83

The Commission could not secure Canadian concurrence to the shifts involved and proposed the following alternatives:

City	Channel No.	
	Delete	Add
Erie, Pa	66+	24+
Sharon, Pa	39+	
Flint, Mich	28	

This modified plan has been approved by Canada. Comments and reply comments have been filed in this proceeding.

4. *Great Lakes' proposal.* On February 15, 1962, Great Lakes Television Company, licensee of television station WSEE, Erie, Pennsylvania, filed with the Commission a petition for the institution of rule making, RM–310, which contained a proposal which would provide four UHF Channels for Erie, all of them in the lower portion of the UHF spectrum. The requested changes in § 3.606 are set forth below:

City	Channel No.	
	Delete	Add
Erie, Pa	35+, *41–, [1] 66+	20, 26, 37, *43
Oil City, Pa	64	39
Sharon, Pa	39+	83
Butler, Pa	43–	79
Clymer, N.Y	37	70
Jamestown, N.Y	58+	64

5. In support of its request, petitioner urges that the proposal would permit all commercial stations and the educational station in Erie to operate in a low portion of the UHF spectrum. Petitioner is also an applicant for a construction permit for Channel 64 at Oil City, Pennsylvania; the proposal substitutes a low UHF channel in this area.

6. In view of the conflict, it is proposed to consolidate in this further proceeding proposals RM–261 and RM–310 except as indicated in footnote 1 below.

7. In a Memorandum Opinion and Order released on March 13, 1961 (RM–180, FCC 61–327), we denied the petition of the University of Illinois to allocate Channel 37 to Radio Astronomy. Subsequently, the University filed a petition for reconsideration which is being held in abeyance by the Commission until it is considered in conjunction with action on Docket No. 11997. In the light of this situation, we are modifying the Great Lakes proposal to determine whether it is feasible to assign Channel 52 in place of Channel 37 to Erie.

8. Unless an active interest is manifested, we find it desirable in the public interest to defer action on making available substitute UHF channels for Sharon, Butler, Clymer, and Jamestown until decisions are reached in Docket No. 14229 concerning the future methods of assigning stations on UHF channels.

9. *Commission's proposal.* In view of the above, it is proposed to amend the Table of Assignments, Television Broadcast Stations, in § 3.606 of the rules insofar as the communities named are concerned, by making the following changes:

City	Channel No.	
	Delete	Add
Erie, Pa	35+, *41–, 66+	20, 26+, 43–, *52+
Oil City, Pa	64	39
Sharon, Pa	39	
Butler, Pa	43	
Williamsport, Pa	26+	[2] 26
Clymer, N.Y	37	
Jamestown, N.Y	58	

[1] Great Lakes Television Company also proposes deletion of Channel 12. However, we do not believe it is necessary or desirable to combine this proposal with the proposal in Docket No. 14242.

[2] This is a change in offset only.

Since the communities involved are within 250 miles of the United States-Canadian border, the reassignment of these channels would require the concurrence of the Canadian Government.

10. If the Commission decides to amend Section 3.606 as proposed, we will take such further action as may be appropriate with respect to petitioner's outstanding authorization for Channel 35 and Anscombe's outstanding authorization for Channel 66 at Erie.

11. Authority for the adoption of the amendment proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

12. Pursuant to applicable procedures set out in § 1.213 of the Commission's rules, interested parties may file comments on or before August 13, 1962, and reply comments on or before August 28, 1962. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

13. In accordance with the provisions of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished to the Commission.

Adopted: July 3, 1962.

Released: July 6, 1962.

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

[F.R. Doc. 62-6766; Filed, July 10, 1962; 8:54 a.m.]

[47 CFR Part 3]

[Docket No. 14668 (RM-333); FCC 62-711]

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS (LEBANON AND LANCASTER, PA.)

Notice of Proposed Rule Making

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 3d day of July 1962.

On May 11, 1962, Triangle Publications, Inc. (Radio and Television Division) filed a petition requesting the amendment of § 3.606 of the rules and that Channel 15 in Lebanon, Pennsylvania, be given a Lancaster-Lebanon designation. Public Notice of this petition was given on May 18, 1962. On June 13, the Commission adopted a Notice of Proposed Rule Making (released on June 15, 1962).

WGAL Television, Inc., of Lancaster, Pennsylvania, filed a Motion for Rescission of the Notice of Proposed Rule Making and an opposition to Triangle's petition on June 15, claiming that WGAL, as a matter of right, had 30 days to file oppositions to Triangle's petition and that the 26 days actually allowed were insufficient .

Settlement of the point in contention turns on the interpretation of § 1.204 of the rules. The applicable part of this section states that any interested person may file a statement in support of or in opposition to a petition for rule making prior to Commission action on the petition but not later than 30 days after Public Notice. A careful reading of the above section clearly indicates that statements in support of or in opposition to a petition may be filed. However, this right is limited by either one of two events. First, interested persons must file statements before the Commission acts. The rule in no way limits the Commission in regard to the time of its action. Second, statements, in any event, may not be filed later than 30 days after Public Notice. It is clear that the 30-day limitation is an additional or secondary cut-off date which affects the right of persons wishing to file statements but in no way limits the Commission. The Commission is not obligated to wait 30 days before taking action on a petition. In any case, petitioner cannot validly claim injury. The Notice to which it objects merely proposes action and invites comment.

As stated above, WGAL has filed an opposition to Triangle's petition. Because it was untimely filed, it could not be considered an initial opposition to the petition. The Commission, however, feels that it is in the public interest that all pertinent matters be considered in regard to its Notice of Proposed Rule Making. Therefore, WGAL's opposition will be considered as a comment on the Notice of Proposed Rule Making. Of course, additional comments may be filed within the time stipulated in this Order.

WGAL also filed a motion on June 19, 1962, stating, ". . . it is prayed that the presently established dates of June 16 (intended to be July 16), 1962 and August 3, 1962 for comments and replies, respectively, be suspended until Commission action on the pending motion of WGAL Television, Inc. for rescission of the notice of proposed rule making herein; if that motion is denied, it is further prayed that at least 30 days be provided for the preparation of comments with an additional 30 days for replies." In that the petitioner's Motion for Rescission of the Notice of Proposed Rule Making is herein denied, grant of the petitioner's request for vacation of time to file comments and reply comments until action is taken on petitioner's motion to rescind the Notice of Proposed Rule Making becomes unnecessary. Additionally, the petitioner requests that 30 days be given for time to file comments and 30 additional days for reply comments. The WGAL opposition having been filed, the Commission does not believe that time beyond July 23 will be necessary for the petitioner to complete its filing in connection with the Notice. This date allows 30 days from the time notice was given in the FEDERAL REGISTER. The Commission is extending the date for reply comments to August 23 so that the petitioner may have ample time appropriately to address itself to the filings of other persons.

Accordingly, it is ordered, That the Motion for Rescission of the Notice of Proposed Rule Making is denied, and that the Motion for Suspension of Dates for the Submission of Comments and Replies Thereto is denied in part and granted in part so as to extend the times for filing comments and replies, respectively, to July 23 and August 23, 1962.

Released: July 6, 1962.

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

[F.R. Doc. 62-6767; Filed, July 10, 1962; 8:55 a.m.]

[47 CFR Part 3]

[Docket No. 14702 (RM-307); FCC 62-712]

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS (MIDLAND, TEX.)

Notice of Proposed Rule Making

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

2. The Commission has before it for consideration a petition filed on January 29, 1962, by Midland Telecasting Company, permittee of KDCD-TV, Channel 18, Midland, Texas, requesting amendment of the Table of Assignments as follows:

City	Channel No.	
	Present	Proposed
Midland, Tex.	2+, 18	2+, 10+, *18

Petitioner further requests that it be ordered to show cause why its outstanding authorization for operation on Channel 18 should not be modified to specify operation on Channel 10. Oppositions to the petition were filed by Southwest States, Inc., licensee of KOSA-TV, Odessa, Texas, and Tri-Cities Broadcasting Company, licensee of KVKM-TV, Monahans, Texas. Petitioner has filed replies to these oppositions.

3. KDCD-TV began operation on Channel 18 on January 13, 1962. On February 16, 1962, it was given authority by the Commission to suspend operation until May 16, 1962, which time has been extended to August 16, 1962.

4. In support of its petition, Midland Telecasting alleges: KDCD-TV is one of the three commercial stations competing in the Midland-Odessa market; KMID-TV (an NBC affiliate) operates on Channel 2 at Midland and KOSA-TV (a CBS affiliate) operates on Channel 7 at Odessa, which is twenty miles from Midland; as the only UHF station in the area, petitioner cannot compete effectively with the two VHF stations which are operating at maximum power; a Channel 10 station could provide a principal city signal to Midland, Big Spring and part of Odessa [1] and the remainder

[1] In order to meet co-channel separations with Roswell, New Mexico, and Del Rio, Texas, the transmitter site would have to be about 23 miles east of Midland. The engineering data submitted by petitioner indicates that such a site would be 191.5 miles from Villa Acuna, Mexico, but the recently concluded United States/Mexico VHF Television Agreement provides for Channel 7 in Villa Acuna with Channel 10 to be assigned to nearby Del Rio, Texas.

of Odessa would be within its Grade A contour; the Grade A area of the proposed Channel 10 station would include a population of 198,000 persons; and petitioner has offered the use of its UHF facilities to the schools of Midland.

5. In its opposition, Southwest States, licensee of KOSA–TV, Odessa, argues as follows: both KOSA–TV and KMID–TV provide Midland with a city grade signal; KVKM–TV, Channel 9, Monahans, serves Monahans and Odessa and, if its application to change transmitter site is granted (BPCT–3000), will provide city grade service to Monahans, Midland and Odessa;[2] KVKM–TV presently provides ABC television network service, which will be extended if its application is granted; the petition proposes an inefficient use of the channel since it could be used between Big Spring and Sweetwater, Texas, which area has only two television services; and finally that its use as proposed would result in adjacent channel interference between the Channel 10 proposed site and Channel 9, Monahans, present site (70 miles) and proposed site (67 miles).[3]

[2] An application was filed November 29, 1961, by the Southwest Broadcasting Company for Channel 24 at Odessa. On April 25, 1962, KEDY–TV, Big Spring, filed an application to move its transmitter site 22 miles in the direction of Midland, from which site it would put a principal city signal over Midland and a Grade A signal over most of Odessa.

[3] Reference is made to Television Allocations to Fort Bragg and Redding, Calif. (FCC 61–1373, adopted November 15, 1961).

6. In its opposition to the petition, Tri-Cities Broadcasting Company, licensee of KVKM–TV, Monahans, asserts it has been serving as the ABC outlet for the southwest Texas area, but that it has not been able to secure a full affiliation with ABC; that it has been operating at a substantial loss and, if another VHF channel is assigned to the area, it should be only upon a compelling showing of need.

7. In its reply to the opposition of Southwest States, petitioner points out that Midland is presently served by only two stations (KMID–TV, Midland, and KOSA–TV, Odessa) and that the proposal does not seek the addition of another facility to the area, but merely the substitution of a VHF for a UHF channel. Petitioner also asserts adjacent channel interference would exist only if the application to change transmitter site is granted.

8. Midland Telecasting also filed a reply to the opposition of Tri-Cities, again asserting that KVKM–TV does not put an adequate signal into Odessa nor any signal into Midland, referring to KVKM–TV's application for VHF translators to serve Odessa and Midland[4] and the subsequent petition to move its transmitter site and increase antenna height accepted for filing by the Commission on February 20, 1962. Petitioner asserts the proposed Channel 10 signal would not enter Monahans and that economic difficulties of a station should not affect considerations under section 307(b) of the Communications Act.

[4] BPTTV 809 and 816, respectively, for Channels 6 and 5 in Midland and Odessa.

9. The Commission is of the view that rule making should be instituted in this matter, and interested parties are invited to submit their views and relevant data. If the Commission decides to amend § 3.606 as proposed, we will then determine what further steps should be taken with respect to petitioner's request for modification of its license. Accordingly, we defer action upon its request for issuance of an order to show cause.

10. Authority for the adoption of the amendment proposed herein is contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended.

11. Pursuant to applicable procedures set forth in § 1.213 of the Commission's rules, interested parties may file comments on or before August 13, 1962 and reply comments on or before August 28, 1962. All submissions by parties to this proceeding must be in written comments, reply comments, or other appropriate pleadings permitted under our rules.

12. In accordance with the provisions of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished to the Commission.

Adopted: July 3, 1962.

Released: July 6, 1962.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62–6768; Filed, July 10, 1962; 8:55 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARIZONA

Proposed Withdrawal and Reservation of Lands

Upon consideration of the application for withdrawal and reservation of lands, notice of which was published in the FEDERAL REGISTER on page 1926, February 28, 1962, (62 F.R. 1964), serial number AR–031299, filed by U.S. Army Corps of Engineers, and the record pertaining to such application, it is determined that the application should be rejected as to the lands described below. Accordingly, it is rejected as to such lands.

The lands involved will be at 10 a.m. on June 29, 1962 relieved of the segregative effect of the above-mentioned application. Legal description of the lands involved:

GILA AND SALT RIVER BASE MERIDIAN, ARIZONA

T. 2 N., R. 1 W.,
Sec. 1, SE¼SE¼.

The area described above contains 40.00 acres.

Dated: July 3, 1962.

FRED J. WEILER,
State Director.

[F.R. Doc. 62–6735; Filed, July 10, 1962; 8:53 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

NORTH DAKOTA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321(a) of Public Law 87–128 (7 U.S.C. 1961) it has been determined that in Cass and Richland Counties, North Dakota, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1963, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 5th day of July 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62–6739; Filed, July 10, 1962; 8:45 a.m.]

MONTANA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321(a) of Public Law 87–128 (7 U.S.C. 1961) it has been determined that in the hereinafter named counties in the State of Montana natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MONTANA

Big Horn.	Petroleum.
Blaine.	Phillips.
Carbon.	Pondera.
Carter.	Powder River.
Cascade.	Prairie.
Chouteau.	Richland.
Custer.	Roosevelt.
Daniels.	Rosebud.
Dawson.	Sheridan.
Fallon.	Stillwater.
Fergus.	Sweet Grass.
Garfield.	Teton.
Glacier.	Toole.
Golden Valley.	Treasure.
Hill.	Valley.
Judith Basin.	Wheatland.
Liberty.	Wibaux.
McCone.	Yellowstone.
Musselshell.	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1963, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 6th day of July 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62–6762; Filed, July 10, 1962; 8:55 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13672]

WEST COAST AIR SERVICES LTD.; TRANSBORDER CANADIAN

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled matter is assigned to be held on July 17, 1962, at 10:00 a.m., e.d.s.t., in Room 1029, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., July 6, 1962.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 62–6757; Filed, July 10, 1962; 8:54 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

ALASKA STEAMSHIP CO.

Notice of Tentative Findings Justifying the Continuance of Bareboat Charters Covering 3 C1–M–AV1 Type Government-Owned Vessels

Notice is hereby given that the Maritime Administrator has tentatively found, in accordance with section 5(e)(1), Merchant Ship Sales Act of 1946, as amended, that conditions exist justifying the continuance of the bareboat charters covering the Government-owned C1–M–AV1 type vessels "Coastal Monarch", "Coastal Nomad", and "Coastal Rambler" presently under charter to Alaska Steamship Company, which were due for annual review on or about June 30, 1962.

Any interested person may request a a hearing with respect to the Administrator's findings by filing written objections in triplicate, stating the reasons therefor, with the Secretary, Maritime Administration, Washington 25, D.C., by close of business on July 20, 1962.

The findings will become final if no objection thereto or no request for a hearing is received.

Dated: July 6, 1962.

By order of the Maritime Administrator.

JAMES S. DAWSON,
Secretary.

[F.R. Doc. 62–6754; Filed, July 10, 1962; 8:53 a.m.]

AMERICAN PRESIDENT LINES, LTD., AND OCEANIC STEAMSHIP CO.

Notice of Applications

Notice is hereby given that American President Lines, Ltd., and The Oceanic Steamship Company, the latter company on its own behalf and on behalf of its parent and managing agent, Matson Navigation Company, have filed applications for waiver under the provisions of section 804 of the Merchant Marine Act, 1936, as amended, for permission to participate in the issuance of tickets and/or exchange orders for passenger transportation on foreign flag carriers of other member companies under arrangements of the Trans-Pacific Passenger Conference Agreement No. 131, as amended, by Modification No. 234 thereto in Inter-Ocean, Round-the-World, Circuit Tours of the Pacific, One-Way and Round-Trip voyages.

Any person, firm or corporation having an interest in such applications who desires to offer views and comments thereon for consideration by the Deputy Maritime Administrator should submit same in writing, in triplicate, to the Secretary, Maritime Administration, Washington, D.C., by close of business

July 17, 1962. The Deputy Maritime Administrator will consider these views and comments and take such action with respect thereto as may be deemed appropriate.

Dated: July 5, 1962.

By order of the Deputy Maritime Administrator.

JAMES S. DAWSON,
Secretary.

[F.R. Doc. 62-6755; Filed, July 10, 1962; 8:54 a.m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[AA 643.3-C]

TETRACYCLINE TABLETS AND CAPSULES FROM ITALY

Fair Value Determination

JULY 5, 1962.

A complaint was received that tetracycline tablets and capsules from Italy were being sold in the United States at less than fair value within the meaning of the Antidumping Act of 1921.

I hereby determine that tetracycline tablets and capsules from Italy are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. Sales in the United States were made outright at arms length. The volume sold for consumption in Italy was adequate for price comparison. Therefore, purchase price and home market price were the the bases for comparison.

In calculating purchase price, deduction was made for cash discount and inland freight where appropriate, and an amount was added equal to a manufacturing tax which was refunded by reason of exportation.

The imported product was not sold as, nor identified in any manner whatsoever as, a brand name product.

The product was sold in Italy under various brand names, and also without identification by brand name. The purchase price of the imported tetracycline was compared with the home market price for unbranded tetracycline.

The home market price used for the purpose of the fair value comparison was the packed price to wholesalers for home consumption. No adjustments of this price were found applicable under the circumstances present in this case.

In no case, during the period involved, was purchase price found to be lower than home market price.

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

[SEAL] JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 62-6750; Filed, July 10, 1962; 8:53 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

ORGANIZATION AND FUNCTIONS

Revised Statement of Delegations of Authority

Correction

In F.R. Doc. 62-6397, appearing at page 6286 of the issue for Tuesday, July 3, 1962, the signature at the end of the document should read "C. R. Seater" instead of "C. R. Seaton".

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4050]

COLUMBIA GAS SYSTEM, INC.

Notice of Proposed Issuance and Sale of Debentures at Competitive Bidding

JULY 2, 1962.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), 120 East 41st Street, New York 17, New York, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, on file at the office of the Commission, for a statement of the transaction therein proposed which is summarized below.

Columbia proposes to issue and sell, pursuant to the competitive bidding requirements of Rule 50 under the Act, $20,000,000 principal amount of its -- percent Debentures, Series Due August 1987. The interest rate on the new debentures (which shall be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be paid to the company (which shall be not less than 98½ percent nor more than 101½ percent of the principal amount) will be determined by the competitive bidding. The new debentures will be issued under a Second Supplemental Indenture to the 1961 Indenture between Columbia and Morgan Guaranty Trust Company of New York, Trustee.

In order to effect economies in the raising of capital, Columbia will, from the net proceeds realized from the sale of the new debentures, redeem on or about September 10, 1962, $17,560,000 principal amount of its 5½ percent Debentures, Series H Due 1982. In connection with this redemption, Columbia will pay a redemption premium of $957,020. The balance of such net proceeds will be added to the general funds of the corporation, as were the net proceeds of approximately $24,682,000 realized from the sale in June 1962 of 4½ percent Debentures, Series Due June 1987, and will be available for financing in part the system's 1962 construction program.

Fees and expenses incident to the proposed transaction are to be filed by amendment. The declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than July 20, 1962, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon declarant, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as to be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 62-6736; Filed, July 10, 1962; 8:53 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI62-539—RI62-546]

DELHI-TAYLOR OIL CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JULY 3, 1962.

Delhi-Taylor Oil Corporation, Docket No. RI62-539; Tex-Star Oil & Gas Corporation (Operator), et al., Docket No. RI62-540; Phillips Petroleum Company (Operator), Docket No. RI62-541; M. M. Conn, Docket No. RI62-542; Turnbull & Zoch Drilling Company (Operator), et al., Docket No. RI62-543; George K. Taggart, Jr. (Operator), et al., Docket No. RI62-544; George Parker, Docket No. RI62-545; Helmerich & Payne, Inc. (Operator), et al., Docket No. RI62-546.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. All of the sales are made at a pressure base of 14.65 psia. The proposed changes are designated as follows:

[1] This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date [1] unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI62-539	Delhi-Taylor Oil Corp., Fidelity Union Tower, Dallas 1, Tex.	35	6	Mississippi River Fuel Corp. (Woodlawn Field, Harrison County, Tex.) (R.R. District No. 6).	757	6-4-62	7-5-62	12-5-62	13.1248	[2] 14.6392	
RI62-540	Tex-Star Oil & Gas Corp. (Operator), et al., 2520 Fidelity Union Tower, Dallas 1, Tex.	1	1	Tennessee Gas Transmission Co. (Placedo Field, Victoria County, Tex.) (R.R. District No. 2).	2,582	6-6-62	7-7-62	12-7-62	11.030284	[3] 15.33333	
RI62-541	Phillips Petroleum Co. (Operator), Bartlesville, Okla.	18	35	Northern Natural Gas Co. (Spraberry, Pembrook, Benedum, and Andrews Gasoline Plants, Midland, Upton, and Andrews Counties, Tex.) (R.R. District Nos. 7C and 8).	362,304	6-6-62	7-7-62	12-7-62	11.0661	[2] 12.0725	G-11849
RI62-542	M. M. Conn, 513 Coral, Corpus Christi, Tex.	1	3	Coastal Transmission Corp. (LaReforma Field, Starr County, Tex.) (R.R. District No. 4).	3,285	6-11-62	7-12-62	12-12-62	16.0	[2] [4] 17.0	
RI62-543	Turnbull & Zoch Drilling Co. (Operator), et al., P.O. Box 2248, Corpus Christi, Tex.	1	1	Coastal Transmission Corp. (Monte Christo Field, Hidalgo County, Tex.) (R.R. District No. 4).	4,003	6-12-62	7-13-62	12-13-62	16.0	[2] [4] 17.0	
RI62-544	George K. Taggart, Jr., (Operator), et al., P.O. Box 1240, Corpus Christi, Tex.	2	1	Coastal Transmission Corp. (Webb Field, San Patricio County, Tex.) (R.R. District No. 4).	4,200	6-13-62	[5] 7-14-62	12-14-62	14.5	[2] [4] 15.5	
RI62-545	George Parker 2300 Alamo National Bldg., San Antonio 5, Tex.	2	1	Coastal Transmission Corp. (Southwest Helen Gohlke Field, Victoria County, Tex.) (R.R. District No. 2).	3,060	6-15-62	8-1-62	1-1-63	17.0	[2] [4] 18.0	
RI62-546	Helmerich & Payne, Inc. (Operator), et al., First National Bldg., Tulsa 3, Okla.	23	3	Colorado Interstate Gas Co. (Mocane Field, Beaver County, Okla.).	19,349	6-8-62	7-9-62	12-9-62	16.950	[6] [7] 19.210	

[1] The stated effective date is the first day after expiration of the required statutory notice, or, if later, the date proposed by the Respondent.
[2] Periodic increase.
[3] Favored-nation increase.
[4] Subject to downward BTU adjustment for gas below 1,000 BTU's.
[5] Requests waiver of notice.
[6] Redetermined increase.
[7] Includes base rate of 17.0¢ per Mcf plus BTU adjustment for gas containing 1130 BTU per cubic foot.

The proposed increased rates exceed the applicable area price levels set forth in the Commission's Statement of General Policy No. 61–1, as amended (18 CFR Ch. 1, Part 2, § 2.56).

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

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. 1), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 17, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-6729; Filed, July 10, 1962; 8:49 a.m.]

[Docket No. G-18154]

SUBURBAN FUEL GAS, INC.

Notice of Motion To Amend

JULY 3, 1962.

Take notice that on May 11, 1962, as supplemented on June 4, 1962, The Suburban Fuel Gas, Inc. (Movant) filed a motion to amend the Commission's order issued July 6, 1959, in Docket No. G-18154, wherein the Commission directed The Ohio Fuel Gas Company (Ohio Fuel) to make a physical connection of its facilities with those of Movant and to sell natural gas to Movant for resale and distribution in the Villages of Deshler, Hamler, Holgate, Hoytville and McComb, Ohio. Said order also restricted Ohio Fuel's sale and delivery of natural gas to Movant to the latter's third year peak-day requirement of 6,000 Mcf daily.

Movant herein requests that the order of July 6, 1959, be amended so as to include therein service to the Village of Malinta and environs, Henry County, Ohio; to direct Ohio Fuel to sell and deliver natural gas to Movant for resale and distribution in said Village and environs; and to delete therefrom the restriction on the maximum amount of gas to be sold and delivered to Movant in order that Movant may develop and expand its marketing area in Wood, Henry and Hancock Counties, Ohio. Movant's proposals are more fully set forth in the subject motion, as supplemented, on file with the Commission and open to public inspection.

The motion shows that Malinta will finance, construct and own the required distribution and transmission facilities and that Movant will operate said facilities. The estimated cost of said facilities total $117,000.

Movant states that the estimated third year peak day and annual requirements for Malinta are 300 Mcf and 50,000 Mcf, respectively.

No additional facilities will be needed by Ohio Fuel since the existing connection with Movant will be used for the proposed service.

On June 14, 1962, Ohio Fuel filed an answer to the subject motion wherein it stated that it has no objection to a Commission order authorizing the subject proposals.

Protests, petitions to intervene or requests for hearing may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 27, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-6730; Filed, July 10, 1962; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN EXPRESS CO. ET AL.

Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 8906 between American Express Co. (New York) and Charleston Overseas Forwarders, Inc. (Charleston, S.C.).

Agreement No. 8907 between American Express Co. and Norton & Ellis, Inc. (Norfolk, Va.).

Under these agreements Charleston Overseas Forwarders, Inc. and Norton & Ellis, Inc. act as shipping correspondents for American Express. In this capacity they perform forwarding services as directed for each shipment referred to them by American Express; each correspondent also refers shipments to American Express or to its subsidiaries.

For the rendering of these services the parties receive a commission, either in the form of a portion of the service fee or a percentage of the ocean freight brokerage—whichever is greater. Either party may terminate the agreement by giving 60 days' notice to the other.

Agreement No. 8932 between C. E. Turton & Son (New York) and H. B. Thomas & Co. (Los Angeles).

Agreement No. 8937 between C. E. Turton & Son and W. R. Zanes & Co. of La., Inc. (New Orleans).

Agreement No. 8938 between Loretz & Co. (Los Angeles) and R. G. Hobelmann & Co., Inc. (Baltimore).

These agreements have identical terms. They are cooperative working arrangements under which the parties perform freight forwarding services for each other, dividing service fees on the basis of the amount of work performed for each transaction. Compensation received from the ocean carriers in connection with shipments handled pursuant to the agreements, is divided as agreed between the parties.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington 25, D.C., and may submit, within twenty days after publication of this notice in the FEDERAL REGISTER, written statements with reference to it, and their position as to approval, disapproval, or modification thereof, together with request for hearing should such hearing be desired.

Dated: July 6, 1962.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 62-6728; Filed, July 10, 1962; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 457]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 6, 1962.

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 of brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

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

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 730 (Sub-No. 207) (AMENDMENT), filed May 14, 1962, published FEDERAL REGISTER issue May 23, 1962, amended May 21, 1962, and republished as amended this issue. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic liquids and rocket propellant fuel*, in bulk, in specially designed tank vehicles, between missile sites, between production plants, and the missile test facilities in the States of Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

NOTE: Applicant requests to amend its application referred to above so that it will conform to the area of service required by the Government.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 1124 (Sub-No. 183), filed May 24, 1962. Applicant: HERRIN TRANSPORTATION COMPANY, a corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except dangerous explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, those injurious or contaminating to other lading, and commodities requiring special equipment), serving the site of the National Bagasse Products Corporation plant located near Vacherie, La., as an off-route points in connection with applicant's authorized regular route operations.

HEARING: September 19, 1962, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 164.

No. MC 6616 (Sub-No. 11), filed June 28, 1962. Applicant: TOEDEBUSCH TRANSFER, INC., 926 Cass Avenue, St. Louis, Mo. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except high explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the Village of Champ, Mo., also known as Champ Industrial Village, as an off-route point in connection with applicant's regular route operations described in MC 6616 and Subs thereunder.

HEARING: September 13, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 179.

No. MC 20298 (Sub-No 2), filed May 8, 1962. Applicant: GEORGE TRAINOR, Eau Galle, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed* and *feed ingredients*, in bag or in bulk, from Savage, Minn., to Rock Elm and Spring Lake, in Pierce County, Eau Galle, Weston, and Dunn in Dunn County, and Waubeck, Waterville, and Durand, in Pepin County, Wis.

HEARING: September 27, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 20793 (Sub-No. 35), filed June 11, 1962. Applicant: WAGNER TRUCKING CO., INC., Jobstown, N.J. Applicant's representative: G. Donald Bullock, P.O. Box 146, Wyncote, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from points in Gloucester County, N.J., to points in Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: September 11, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner Francis A. Welch.

No. MC 27063 (Sub-No. 5), filed May 1, 1962. Applicant: LIBERTY TRANSFER COMPANY, INC., 1601 Cuba Street, Baltimore, Md. Applicant's attorney: S. Harrison Kahn, 1110–14 Investment Building, Washington, D.C. Authority sought to operate as a *contract carrier*,

by motor vehicle, over irregular routes, transporting: *Canned goods*, from Port Newark and Bayonne, N.J., to Baltimore, Md., and Washington, D.C.

NOTE: Applicant states the above-specified commodities will be transported for the account of Wesson Division—Hunt Foods and Industries, Inc.

HEARING: September 12, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner Francis A. Welch.

No. MC 29988 (Sub-No. 85), filed May 21, 1962. Applicant: DENVER CHICAGO TRUCKING COMPANY, INC., 45th Avenue at Jackson Street, Denver, Colo. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, 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 commodities requiring special equipment), as alternate routes for operating convenience only: (a) Between junction U.S. Highway 50 and U.S. Highway Alternate 50 approximately one (1) mile north of Sumner, Ill., and Lawrenceville, Ill., serving no intermediate points; from junction U.S. Highway 50 and U.S. Highway Alternate 50 approximately one (1) mile north of Sumner, over U.S. Highway 50 to Lawrenceville, and return over the same route; and (b) between junction U.S. Highway 50 and U.S. Highway 150 at or near Vincennes, Ind. and Prospect, Ind., serving no intermediate points; from junction U.S. Highway 50 and U.S. Highway 150 at or near Vincennes, over U.S. Highway 150 to Prospect, and return over the same route.

HEARING: September 14, 1962, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21.

No .MC 32474 (Sub-No. 29), filed May 10, 1962. Applicant: KEESHIN TRANSPORT SYSTEM, INC., 3131 Douglas Road, Toledo, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Elk Grove, Ill., as an off-route point in connection with presently authorized regular route operations at Chicago, Ill.

HEARING: September 14, 1962, at the Midland Hotel, Chicago Ill., before Joint Board No. 149.

No. MC 36473 (Sub-No. 71), filed May 31, 1962. Applicant: CENTRAL TRUCK LINES, INC., 1005 Jackson Street, Tampa, Fla. 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 the National Aeronautic and Space Administration Centralized Testing Site and the easements thereto, located in Hancock, County, Miss., and St. Tammany Parish, La., near Santa Rosa and Gainesville, Miss., as an off-route point in connection with applicant's presently authorized regular-route operations between New Orleans, La., and Mobile, Ala.

HEARING: September 27, 1962, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 28.

No. MC 38551 (Sub-No. 14), filed April 2, 1962. Applicant: RAMUS TRUCKING LINE, INC., P.O. Box 5786, 3832 Ridge Road, Cleveland, Ohio. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *A. General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between junction of U.S. Highway 20 with Alternate U.S. Highway 20 and Columbus, Ohio, as follows: From junction U.S. Highway 20 and Alternate U.S. Highway 20 over Alternate U.S. Highway 20 to junction Ohio Highway 15, thence over Ohio Highway 15 to Defiance, Ohio, thence over U.S. Highway 24 to Napoleon, Ohio, thence over U.S. Highway 6 to junction with U.S. Highway 23, thence over U.S. Highway 23 to Columbus, Ohio, and return over the same route; (2) between Toledo, Ohio, and junction of Ohio Highways 65 and 6 at or near McClure, Ohio, as follows: From Toledo, over U.S. Highway 24 to junction with Ohio Highway 65, thence over Ohio Highway 65 to junction with U.S. Highway 6 at or near McClure, Ohio, and return over the same route; (3) between Toledo, Ohio, and junction of U.S. Highways 23 and 6, at or near New Rochester, Ohio, as follows: From Toledo, over U.S. Highway 23 to junction with U.S. Highway 6, at or near New Rochester, Ohio, and return over the same route; (4) between Toledo, Ohio, and Cleveland, Ohio, as follows: From Toledo over U.S. Highway 20 to Cleveland, Ohio, and return over the same route; (5) between Port Clinton, Ohio, and Oak Harbor, Ohio, as follows: From Port Clinton, over Ohio Highway 163, to Oak Harbor, Ohio, and return over the same route; (6) between Fostoria, Ohio and junction of U.S. Highways 21 and 224, as follows: From Fostoria, over Ohio Highways 18 to Tiffin, Ohio, thence over Ohio Highway 231 (also over Ohio Highway 100) to junction with U.S. Highway 224, thence over U.S. Highway 224 to junction with U.S. Highway 21, and return over the same route; (7) between Upper Sandusky, Ohio, and junction of U.S. Highways 42 and 224, as follows: From Upper Sandusky, over U.S. Highway 30–N to Mansfield, Ohio, thence over U.S. Highway 42 to junction with U.S. Highway 224, and return over the same route; (8) between Columbus, Ohio and Newark, Ohio, as follows: From Columbus, over Ohio Highway 16 to Newark, Ohio, and return over the same route; (9) between Newark, Ohio, and Mansfield, Ohio, as follows: From Newark, over Ohio Highway 13 to Mansfield, Ohio, and return over the same route; (10) between Mansfield, Ohio, and Youngstown, Ohio, as follows: From Mansfield over U.S. Highway 30 to Canton, Ohio, thence over U.S. Highway 62 to Youngstown, Ohio, and return over the same route; (11) between Canton, Ohio, and Uniontown, Ohio, as follows: From Canton over Ohio Highway 8 to Uniontown, Ohio, and return over the same route; (12) between Youngstown, Ohio, and Ashtabula, Ohio, as follows: From Youngstown over U.S. Highway 422 to Warren, Ohio, thence over Ohio Highway 45 to junction with Ohio Highway 167, thence over Ohio Highway 167 to Jefferson, Ohio, thence over Ohio Highway 46 to Ashtabula, and return over the same route; (13) between Conneaut, Ohio, and Painesville, Ohio, as follows: From Conneaut over U.S. Highway 20 to Painesville, Ohio, and return over the same route; and (14) between Warren, Ohio and Cleveland, Ohio, as follows: From Warren over Ohio Highway 5 to junction with Ohio Highway 91, thence over Ohio Highway 91 to Twinsburg; Ohio, thence over Ohio Highway 14 to Cleveland, Ohio, and return over the same route.

NOTE: Authority is sought to serve all intermediate points on the above described routes.

B. General commodities (except those of unusual value, Classes A and B explosives, household goods, as defined by the Commission, commodities in bulk and those requiring special equipment), over alternate routes for operating convenience only, (1) between Sandusky, Ohio and Norwalk, Ohio, as follows: From Sandusky over U.S. Highway 250 to Norwalk, Ohio, and return over the same route; (2) between Norwalk, Ohio, and Mansfield, Ohio, as follows: From Norwalk over Ohio Highway 13 to Mansfield, Ohio, and return over the same route; (3) between Uniontown, Ohio, and junction of Ohio Highways 8 and 91, as follows: From Uniontown over Ohio Highway 8 to junction with Ohio Highway 91, and return over the same route; (4) between Cleveland, Ohio, and junction of U.S. Highways 21 and 224, as follows: From Cleveland over U.S. Highway 21 to junction with U.S. Highway 224, and return over the same route; and (5) between junction of U.S. Highway 21 with Ohio Highway 18 and Columbus, Ohio, as follows: From junction of U.S. Highway 21 and Ohio Highway 18, over Ohio Highway 18 to junction with Interstate Highway 71, thence over Interstate Highway 71 to Columbus, Ohio, and return over the same route.

NOTE: No authority is sought to serve any intermediate points on the above-described alternate routes.

HEARING: September 4, 1962, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 57.

No. MC 42405 (Sub-No. 21), filed April 19, 1962. Applicant: MISTLETOE EXPRESS SERVICE, a corporation, 111 Harrison Street, Oklahoma City, Okla. Applicant's attorney: Max G. Morgan, 443–54 American National Building,

Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives), moving in Express Service, between Newkirk, Okla., and Winfield, Kans., from Newkirk over U.S. Highway 77 to Winfield, and return over the same route, serving all intermediate points, with the specific right to tack with its existing authority at Newkirk, Okla.

HEARING: September 10, 1962, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 39.

No. MC 52709 (Sub-No. 176), filed July 5, 1962. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Applicant's representative: Eugene St. M. Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic liquids and rocket propellent fuels*, in bulk, in specially designed tank trailers, between missile sites, production plants and missile test facilities located in the States of Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

NOTE: Common control may be involved.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 55811 (Sub-No. 78), filed May 16, 1962. Applicant: CRAIG TRUCKING, INC., Albany, Ind. Applicant's attorney: Howell Ellis, Suite 1210–12 Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty metal containers*, and *parts thereof*, from Chicago, Ill. to Battle Creek, Mich.

HEARING: September 12, 1962, at the Midland Hotel, Chicago, Ill., before Joint Board No. 73.

No. MC 59117 (Sub-No. 16), filed March 19, 1962. Applicant: ELLIOTT TRUCK LINES, INC., Box 1, Vinita, Okla. Applicant's attorney: James F. Miller, 500 Board of Trade Building, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Twine, binder twine, baler twine, agricultural twine, cordage, rope, wire, wire rope, mesh wire, wire fencing, barbed wire, steel posts, and wire fixtures and clamps*, from Beaumont and Houston, Tex., to points in Oklahoma and Kansas, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

HEARING: September 12, 1962, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 170.

No. MC 60118 (Sub-No. 1), filed April 30, 1962. Applicant: WILKERSON FREIGHT LINE, INC., 129 McInnis Avenue, Moss Point, Miss. 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, bulk commodities, household goods as defined in Practices of Motor Common Carriers of Household Goods 17 M.C.C. 467), (1) from Pascagoula, Miss., to Hurley, Miss.; from Pascagoula over U.S. Highway 90 to its junction with Mississippi Highway 63, thence over Mississippi 63 to its junction with Mississippi Highway 613 to Hurley, serving all intermediate points and off-route point of Wade, Miss., and (2) between Hurley, Miss., and Mobile, Ala.; over unnumbered Mississippi Highway from Hurley to Mississippi-Alabama State line, thence over unnumbered Alabama Highway to Mobile, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's regular-route operations between Mobile, Ala., and Pascagoula, Miss.

HEARING: September 28, 1962, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 14.

No. MC 71478 (Sub-No. 27), filed April 2, 1962. Applicant: THE CHIEF FREIGHT LINES COMPANY, a corporation, 1229½ Union Avenue, Kansas City, Mo. Applicant's attorney: Tom B. Kretsinger, Suite 510 Professional Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular 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, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the Ardmore Industrial Park, located nine (9) miles northeast of Ardmore, Okla., as an off-route point in connection with applicant's regular-route operations.

HEARING: September 14, 1962, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 88.

No. MC 75320 (Sub-No. 96), filed June 28, 1962. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., 2333 East Trafficway, Springfield, Mo. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving the Village of Champ, Mo., also known as Industrial Village as an off-route point in connection with applicant's authorized regular route operations.

HEARING: September 13, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 179.

No. MC 77135 (Sub-No. 20), filed June 21, 1962. Applicant: PACIFIC TRUCK SERVICE, INC., 600 Park Avenue, San Jose, Calif. Applicant's attorney: Edward M. Berol, 100 Bush Street, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic liquids and rocket propellant fuels*, in bulk, in specially designed tank vehicles, between points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 88161 (Sub-No. 64), filed April 25, 1962. Applicant: INLAND TRANSPORTATION COMPANY, INC., 6737 Corson Avenue South, Seattle 8, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities* (excluding fertilizers), in bulk, in tank, hopper type, pneumatic discharge type, or bottom dump vehicles or similar specialized equipment, (1) between points in Washington, Oregon, Idaho, and Montana, and (2) between points in Washington.

HEARING: September 17, 1962, at the Washington Utilities and Transportation Commission Insurance Building, Olympia, Wash., before Examiner Samuel Horwich.

No. MC 95540 (Sub-No. 415), filed April 4, 1962. Applicant: WATKIN'S MOTOR LINES, INC., Albany Road, Thomasville, Ga. Applicant's attorney: Duane W. Acklie, 605 South 12th Street, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points east of U.S. Highways 383 and 183, and points south of U.S. Highway 30 in Nebraska, except Omaha and Lincoln, Nebr., to points in Alabama, Arizona, Arkansas, California, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE: Applicant states that it is affiliated with Arctic Express, through stock ownership.

HEARING: July 16, 1962, at the South Court Room, Old Post Office Building, 16th and Dodge Streets, Omaha, Nebr., before Examiner Bernard J. Hasson, Jr.

No. MC 95540 (Sub-No. 437), filed July 2, 1962. Applicant: WATKIN'S MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*,

frozen berries, frozen vegetables, frozen fruit juices, and frozen fruit concentrates, in mixed truckloads, with *canned and processed citrus fruits and juices,* from points in Florida to points in Missouri, Kansas, Iowa, Nebraska, and Oklahoma.

HEARING: July 18, 1962, at the U.S. Court Rooms, Tampa, Fla., before Commissioner Laurence K. Walrath.

No. MC 102560 (Sub-No. 7), filed May 18, 1962. Applicant: FREILER INDUSTRIES, INC., P.O. Box 636, Amite, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 13, La. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Creosoted or chemically treated poles, piling and lumber,* from Slidell, La., to points in Galveston, Harris, Jefferson, and Orange Counties, Tex.

HEARING: September 19, 1962, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 32.

No. MC 102616 (Sub-No. 704), filed June 26, 1962. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. Applicant's attorney: Harold G. Hernly, 711 Fourteenth Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Nitrogen tetroxide,* in bulk, in tank vehicles, moving on government bills of lading, from Hopewell, Va., to missile sites at or near Davis-Monthan Air Force Base, Ariz., and Little Rock Air Force Base, Ark.

HEARING: July 25, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 106049 (Sub-No. 34), filed April 20, 1962. Applicant: ATLANTA-NEW ORLEANS MOTOR FREIGHT CO., 260 University Avenue SW., Atlanta 15, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1424 C & S Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities* (except uncrated household goods or office furnishings), serving the site of the National Aeronautics and Space Administration Centralized Testing Site and the easements thereto, located in Hancock County, Miss., and St. Tammany Parish, La., near Santa Rosa and Gainesville, Miss., as off-route points in connection with applicant's presently authorized operations between Gulfport, Miss. and New Orleans, La.

HEARING: September 25, 1962, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 28.

No. MC 107403 (Sub-No. 412), filed June 28, 1962. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cryogenic liquids and rocket propellant fuels, in bulk,* in specially designed tank trailers, between missile sites, production plants and missile test facilities located in the States of Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

NOTE: Common control may be involved.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 107912 (Sub-No. 12), filed June 11, 1962. Applicant: REBEL MOTOR FREIGHT, INC., 954 South Barton Street, Memphis, Tenn. Applicant's attorney: T. H. Freeland, III, Box 269, Oxford, 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, livestock, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), between Memphis, Tenn., and Grenada, Miss., from Memphis, over U.S. Highway 51, to Grenada, serving Batesville, Miss., as an intermediate point and return over the same route.

HEARING: September 27, 1962, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 229.

No. MC 108185 (Sub-No. 25), filed April 20, 1962. Applicant: DIXIE HIGHWAY EXPRESS, INC., P.O. Box 631, 1600—B Street, Meridian, Miss. Applicant's attorney: R. J. Reynolds, 1424 C & S National Bank Building, Atlanta 3, Ga. 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, lumber, gasoline, coal, sand, gravel, household goods as defined in *Practices of Motor Carriers of Household Goods,* 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), to serve the National Aeronautics and Space Administration Centralized Testing Site, and the easements thereto, located in Hancock County, Miss., and St. Tammany Parish, La., near Santa Rosa and Gainesville, Miss., as off-route points in connection with applicant's presently authorized operations between Gulfport, Miss., and New Orleans, La., and between Hattiesburg, Miss., and New Orleans, La.

HEARING: September 25, 1962, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 28.

No. MC 109095 (Sub-No. 13), filed June 28, 1962. Applicant: ANDERSON MOTOR SERVICE, INC., 1516 North 14th Street, St. Louis, Mo. Applicant's attorney: B. W. LaTourette, Jr., Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Village of Champ, Mo. (also known as Champ Industrial Village), as an off-route point in connection with aplicant's authorized regular-route operations as described in MC–109095 and related subs.

HEARING: September 13, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 179.

No. MC 109584 (Sub-No. 109), filed April 19, 1962. Applicant: ARIZONA PACIFIC TANK LINES, a corporation, 717 North 21st Avenue, Phoenix, Ariz. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes transporting: (1) *Syrups and liquid sugars,* in bulk, in tank vehicles, from points in California to points in Oregon and Washington (except that no authority is sought from Manteca, Spreckels, and Woodland, Calif., to points in Oregon which are located in Douglas, Josephine, Klamath, Jackson, and Lake Counties), and (2) *contaminated syrups and liquid sugars,* in bulk, in tank vehicles, from points in Oregon and Washington, to points in California (except that no authority is sought from points in Oregon which are located in Douglas, Josephine, Klamath, Jackson, and Lake Counties, to Manteca, Spreckels, and Woodland, Calif.).

NOTE: Common control may be involved.

HEARING: September 25, 1962, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Joint Board No. 5, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

No. MC 110525 (Sub-No. 517), filed June 25, 1962. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cryogenic liquids and rocket propellant fuels,* in bulk, in specially designed trailers, between missile sites, production plants, and missile test facilities, located in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 110988 (Sub-No. 69), filed June 7, 1962. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's attorney: E. Stephen Heisley, Transportation Building, Wash. 6, D.C. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Sulphuric Acid,* in bulk, from Hammond, Ind., to the plant site of the Des Plaines Chemical Company, located at or near Morris, Ill.

HEARING: September 13, 1962, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21.

No. MC 111231 (Sub-No. 50), filed June 28, 1962. Applicant: JONES TRUCK LINES, INC., Springdale, Ark. Applicant's attorney: B. W. LaTourette, Jr., Boatmen's Bank Building, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the Village of Champ, Mo. (also known as Champ Industrial Village), as an off-route point in connection with applicant's presently authorized regular routes as described in MC–111231 and related subs.

HEARING: September 13, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 179.

No. MC 111812 (Sub-No. 160) (AMENDMENT), filed April 5, 1962, published FEDERAL REGISTER issue June 27, 1962, amended June 29, 1962, and republished this issue. Applicant: MIDWEST COAST TRANSPORT, INC., Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, potatoes, and potato products frozen and unfrozen, cooked and uncooked, and blanched*, from Fargo, Park River, Grafton, and points in Grand Forks County, N. Dak., Crookston, Mankato, Barnesville, East Grand Forks, St. Paul, Minneapolis, and Hopkins, Minn., to points in the United States, (except points in Alaska, and Hawaii). Common control may be involved.

NOTE: The purpose of this republication is to add frozen foods to the commodities proposed to be transported.

HEARING: Remains as assigned July 31, 1962, in the U.S. Court Rooms, Fargo, N. Dak., before Examiner J. Thomas Schneider.

No. MC 111979 (Sub-No. 3), filed May 14, 1962. Applicant: BEN F. HAUCK, doing business as THE VALLEY STAGES, 241 Center Street NE., Salem, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, baggage, express, mail, and newspapers*, in the same vehicle with passengers, between Monmouth, and Corvallis, Oreg., from Monmouth over U.S. Highway 99W to Corvallis, and return over the same route serving the intermediate point of Camp Adair, located at Corvallis, Oreg.

NOTE: Common control may be involved.

HEARING: September 24, 1962, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Joint Board No. 172, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

No. MC 112750 (Sub-No. 101), filed May 1, 1962. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: Claude Jasper, 111 South Fairchild Street, Suite 301, Madison, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commercial papers, documents and written instruments* (except coin, currency, bullion, and negotiable securities), as are used in the conduct of the business of banks and banking institutions, between Chicago, Ill., on the one hand, and, on the other, points in Brown, Calumet, Dane, Fond du Lac, Kewaunee, Manitowoc, Milwaukee, Outagamie, Ozaukee, Racine, Rock, Sheboygan, Washington, Waukesha, and Winnebago Counties, Wis. (2) *Used punch cards, business papers, and records* used or useful in the preparation of such punch cards, and *other business papers and records* involving information obtained from the punch cards or pertaining to the use thereof, excluding plant removals and supplies, (a) between Beloit and Janesville, Wis., on the one hand, and, on the other, Rockford, Ill.; and (b) between Chicago, Ill., on the one hand, and, on the other, points in Wisconsin.

NOTE: Applicant states Arthur DeBevoise owns all outstanding stock of applicant and also Carolina-Virginia Couriers Inc. (MC 123486), Southern Couriers Inc. (MC 123304) and Ohio Couriers Inc. (MC 124088).

HEARING: September 10, 1962, at the Midland Hotel, Chicago, Ill., before Joint Board No. 17.

No. MC 113267 (Sub-No. 68), filed April 2, 1962. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill., Applicant's representative: Frederick H. Figge (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, articles distributed by meat packinghouses, frozen and prepared foods*, when transported in vehicles equipped with mechanical temperature controlled units, between points in Louisiana.

NOTE: Common control may be involved.

HEARING: September 20, 1962, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 164.

No. MC 115523 (Sub-No. 98) (AMENDMENT), filed March 26, 1962, published in FEDERAL REGISTER issue of June 6, 1962, amended July 3 and republished this issue. Applicant: CLARK TANK LINES COMPANY, a corporation, 1450 Beck Street, Salt Lake City, Utah. Applicant's attorney: Marshall G. Berol, 100 Bush Street, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beet pulp*, and *beet pulp pellets* (a) between points in Oregon and Idaho; and (b) from points in Oregon, Idaho, Utah, Washington, and South Dakota to points in Oregon, Utah, Idaho, Wyoming, Montana, Washington, North Dakota, South Dakota, Nebraska, California, Arizona, New Mexico, Texas, and Nevada.

NOTE: The purpose of this republication is to add the State of Oregon as a destination state in part (b).

HEARING: Remains as assigned July 23, 1962, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Henry A. Cockrum.

No. MC 116077 (Sub-No. 132), filed July 3, 1962. Applicant: ROBERTSON TANK LINES, INC., P.O. Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, Esperson Building, Suite 1535, Houston 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic liquids*, and *rocket propellant fuels*, in bulk, in specially designed tank vehicles, and *empty tank vehicles*, between missile sites, production plants, and missile test facilities, located at points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Michigan, Missouri, Montana, New Mexico, New York, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

HEARING: August 1, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 117119 (Sub-No. 61), filed July 2, 1962. 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 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Deerfield, Ill., to points in Alabama, Georgia, North Carolina, South Carolina, Tennessee (except Memphis), Florida, Paducah, and Fulton, Ky., and *empty containers or other such incidental facilities* (not specified), used in transporting the above-described commodities, on return.

HEARING: August 2, 1962, at the Midland Hotel, Chicago, Ill., before Examiner Bernard J. Hasson, Jr.

No. MC 117686 (Sub-No. 13), filed April 4, 1962. Applicant: RAYMOND C. HIRSCHBACH, doing business as HIRSCHBACH MOTOR LINES, 3324 U.S. Highway 75 North, Sioux City, Iowa. Applicant's attorney: Duane W. Acklie, Box 2041, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points east of U.S. Highway 383 and 183 and points south of U.S. Highway 30 in Nebraska (except Omaha and Lincoln, Nebr.), to points in Alabama, Arizona, Arkansas, California, Iowa, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas.

HEARING: July 16, 1962, at the South Court Room, Old Post Office Building, 16th and Dodge Sts., Omaha, Nebr., before Examiner Bernard J. Hasson, Jr.

No. MC 117842 (Sub-No. 2), filed May 24, 1962. Applicant: INTERSTATE DISTRIBUTING COMPANY, a corporation, 2215 Pacific Highway East, Tacoma 22, Wash. Applicant's representative: Joseph O. Earp, 1912 Smith Tower, Seattle 4, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transport-

ing: (1) *Groceries and grocery store supplies,* and *exempt commodities,* when transported in the same vehicle at the same time with groceries or grocery store supplies, between Bellevue, Wash., and points in California, (2) *school furniture and fixtures,* from Tacoma, Wash., to points in California and Nevada, and (3) *panels and parts,* wood, plywood, or hardboard, rough or dressed, consisting of flat pieces, edges glued or not glued together, cut to dimensions and/or shaped, bored or not bored, edges plain or bevelled, grooved, molded, slotted or tongued, used for furniture, radio, television or phonograph cabinets, boats or in similar applications, from Sumner, Wash., to points in California.

NOTE: Applicant states "the same stockholders also own all of the stock of Interstate Distributor Co., a common carrier, holding Certificate MC 117201 and Sub 1."

HEARING: September 18, 1962, at the Washington Utilities and Transportation Commission Insurance Building, Olympia, Wash., before Examiner Samuel Horwich.

No. MC 118468 (Sub-No. 11), filed April 16, 1962. Applicant: UMTHUN TRUCKING CO., 910 South Jackson Street, Eagle Grove, Iowa. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products* and *building materials* that are produced or distributed by manufacturers of gypsum products, from the plant site of the U.S. Gypsum Co., at or near Fort Dodge, Iowa, to points in Minnesota.

HEARING: September 24, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 146.

No. MC 119245 (Sub-No. 2), filed April 20, 1962. Applicant: E. J. PAULETTE, doing business as PAULETTE'S DELIVERY SERVICE, 1155 Joseph Street, Shreveport, La. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Cosmetic products,* from New Orleans, La., to Shreveport, La., and points in Caddo, Bossier, Webster, Claiborne, Union, Morehouse, West Carroll, East Carroll, De Soto, Red River, Bienville, Lincoln, Jackson, Ouachita, Richland, Madison, Sabine, Natchitoches, Winn, Caldwell, Franklin, Tensas, Vernon, Rapides, Grant, La Salle, Catahoula, and Concordia Parishes, La., having a prior out-of-state movement.

NOTE: Applicant states the proposed service will be for the account of Avon Products, Inc.

HEARING: September 17, 1962, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 164.

No. MC 119604 (Sub-No. 2), filed February 14, 1962. Applicant: WILLIS E. SEARS, 240 North Austin Street, Jasper, Tex. Applicant's attorney: Joe G. Fender, Melrose Building, Houston, Tex. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Lumber* between points in Louisiana and points in Texas.

HEARING: September 18, 1962, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 32.

No. MC 123271 (Sub-No. 2), filed June 7, 1962. Applicant: TAVILLA TRUCKING CORP., One North Market Street, Boston 9, Mass. Applicant's attorney: James J. Weinstein, One Court Street, Boston 8, Mass. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Bananas* from New York, N.Y., to Boston, Mass.; and *exempt commodities* on return trips.

NOTE: Applicant states the operations will be under contract with Boston Banana Co., Inc.

HEARING: July 25, 1962, at the Hotel Essex, Boston, Mass., before Examiner Francis A. Welch.

No. MC 123963 (Sub-No. 2), filed January 26, 1962. Applicant: ATLAS TRANSFER & STORAGE CORPORATION, 139 Europe Street, Baton Rouge, La. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Meats* and *packinghouse products* from Baton Rouge, La., to Port Allen, Plaquemine, White Castle, Donaldsonville, Bellerose, Thibodaux, Napoleonville, Klotsville, Schriever, Paincourtville, Plattenville, Morgan City, Donner, and Houma, La.

HEARING: September 17, 1962, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 164.

No. MC 124061 (Sub-No. 1), filed March 21, 1962. Applicant: RALPH WILLIAMS, doing business as NATCHEZ TRUCK SERVICE, Route 5, Box 123–C, Natchez, Miss. Applicant's attorney: Rubel L. Phillips, Deposit Guaranty Bank Building, Jackson, Miss. 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), between the Natchez-Adams County Port, near Natchez, Miss., on the one hand, and, on the other, points in Mississippi on and south of U.S. Highway 80, and points in Louisiana on and north of U.S. Highway 190.

HEARING: September 24, 1962, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 28.

No. MC 124090, filed November 30, 1961. Applicant: TRANSPORTES AZTECA, a corporation, 1060 Broad Street, Newark 2, N.J. Applicant's attorney: Bernard F. Flynn, Jr., York-Flynn Building, East Blackwell Street, Dover, N.J. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *General commodities,* between Port Newark, N.J., and points within 5 miles thereof, and Port of Houston, Houston, Tex., on the one hand, and, on the other, Laredo, McAllen, and Brownsville, Tex.

NOTE: Applicant states that the latter points named will be used as ports of departure or entry in the transportation of traffic in foreign commerce consigned to the Republic of Mexico or to Central American countries, or that may be consigned to the Port of Houston for transhipment by water, or to Port Newark and 5 miles thereof for delivery therein or transhipment therefrom to other points in the U.S. or foreign countries.

HEARING: September 13, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner Francis A. Welch. This assignment is for applicant's presentation. A continued hearing at a southwestern border point is contemplated at the discretion of the presiding examiner.

No. MC 124303 (Sub-No. 2), filed May 11, 1962. Applicant: OTTO RUTZER, doing business as OTT'S TRUCK LINE, Nahcotta, Wash. Applicant's attorney: Lawrence V. Smart, Jr., 2010 NW. Vaughn Street, Portland, Oreg. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Shakes and shingles,* from points in Pacific County, Wash., to points in Oregon, and *exempt commodities,* on return.

HEARING: September 24, 1962, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Joint Board No. 45, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

No. MC 124376, filed April 17, 1962. Applicant: TEXAS AGGREGATE TRANSPORT CO., INC., P.O. Box 72, Irving, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Hot mix, crushed stone, shell, salt, asphalt,* not in tank vehicles, *treated crushed stone, aggregate, rip rap, rocks, sand, gravel, caliche, dirt, bulk cement mixed with sand, gravel and crushed limestone, batch, iron ore* and *flexible base,* in bulk, from points of production and crushing or mixing plants in Oklahoma to job sites, mixing plants, stock piles and highway construction sites in Texas.

HEARING: September 13, 1962, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 16.

No. MC 124383, filed April 19, 1962. Applicant: GERALD DREYER, doing business as DREYER TRANSPORT, 4939 North 36th Street, Milwaukee 9, Wis. Applicant's attorney: Frank M. Coyne, 1 West Main Street, Madison 3, Wis. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Slag and slag aggregates,* in bulk, from Hammond and Gary, Ind., and Chicago, Ill., to points in Wisconsin, (2) *glass cullets,* in bulk from Vincennes, Ind., to points in Milwaukee, Waukesha, and Washington Counties, Wis., (3) *sand, clay, and clay aggregates,* in bulk, from points in La Salle County, Ill., to points in Wisconsin, (4) *sand, stone chips, and crushed stone,* in bulk, from points in Wisconsin south of U.S. Highway 10, to points in Illinois and Indiana, (5) *scrap metals,* from points in Wisconsin south of U.S. Highway 10, to points in Illinois and Indiana, and (6) *concrete blocks,*

concrete planks, concrete slabs and concrete beams, from points in Waukesha and Milwaukee Counties, Wis., to points in Illinois and Indiana.

HEARING: September 17, 1962, at the Wisconsin Public Service Commission, Madison, Wisconsin, before Joint Board No. 17.

No. MC 124386, filed May 4, 1962. Applicant: LAWRENCE SPRINGSTEEN, Emerald, Wis. Applicant's attorney: Wm. W. Ward, New Richmond, Wis. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Empty cans,* from Mankato, Minn., to Emerald, Wis.

NOTE: Applicant states the above-named commodities will be for a food processing plant. Applicant holds common carrier authority in MC 16649, therefore, dual operations may be involved.

HEARING: September 27, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 124417, filed April 30, 1962. Applicant: ALPHONSE HINDERMAN AND VINCENT HINDERMAN, a partnership, doing business as HINDERMAN BROTHERS, Dickeyville, Wis. Applicant's attorney: John T. Porter, 708 First National Bank Building, Madison 3, Wis. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Fertilizer,* from Dubuque and Estherville, Iowa, to points in Wisconsin, and *rejected and returned shipments* of the same commodities, on return.

HEARING: September 19, 1962, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 111.

No. MC 124417 (Sub-No. 1), filed April 30, 1962. Applicant: ALPHONSE HINDERMAN AND VINCENT HINDERMAN, doing business as HINDERMAN BROTHERS, Dickeyville, Wis. Applicant's attorney: John T. Porter, 708 First National Bank Building, Madison 3, Wis. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Animal and poultry feed,* from Cedar Rapids, Dubuque, Iowa, Iowa Falls, Mason City, Muscatine, and Waterloo, Iowa, to points in Wisconsin on and south of U.S. Highway 10 and on and west of U.S. Highway 51, and *rejected and returned shipments* of the same commodities, on return.

HEARING: September 18, 1962, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 111.

No. MC 124444, filed May 11, 1962. Applicant: PETROLEUM MARKETING COMPANY, INC., P.O. Box 433, Purvis, Miss. Applicant's attorney: Warren Woods, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas,* in bulk, in tank vehicles, from points in Louisiana, to the plant site of Pontiac Eastern Corp., located at or near Purvis, Miss., and *empty containers or other such incidental facilities* (not specified), used in transporting the above-specified commodity, on return.

NOTE: Applicant states that said transportation to be performed under continuing contracts with Pontiac Eastern Corporation.

HEARING: September 26, 1962, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 28.

No. MC 124445, filed May 14, 1962. Applicant: A. GONDECK & SON, INC., 261 Rice Avenue, Staten Island 14, N.Y. Applicant's representative: William D. Traub, 10 East 40th Street, New York 15, N.Y. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Earth fill, stone, sand, gravel,* and *asphalt,* in dump vehicles, between New York, N.Y., on the one hand, and, on the other, points in Bergen, Hudson, Essex, Passaic, Morris, Middlesex, Union, Mercer, Hunterdon, Somerset, and Monmouth Counties, N.J.

HEARING: September 18, 1962, at 346 Broadway, New York, N.Y., before Examiner Francis A. Welch.

No. MC 124448, filed May 14, 1962. Applicant: HODGES TRUCKING, INC., 2928 North Nevada Street, Spokane, Wash. Applicant's attorney: George R. LaBissoniere, 333 Central Building, Seattle 4, Wash., *and* Ralph D. Guthrie, 2928 North Nevada Street, Spokane, Wash. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Machinery* from Springfield, Deerfield, Aurora, and Peoria, Ill., to points in Washington; and (2) *lumber* between points in Idaho, Montana and Washington and points in Illinois.

NOTE: Applicant has common carrier authority under MC 116319; therefore dual operations may be involved.

HEARING: September 14, 1962, at the Davenport Hotel, Spokane, Wash., before Examiner Samuel Horwich.

No. MC 124466, filed May 23, 1962. Applicant: ARTHUR CHARLES DRINKWATER, doing business as DOVER TRUCKING COMPANY, Walpole Street, Dover, Mass. Applicant's attorney: Walter W. Baldwin, 378 Stuart Street, Boston 17, Mass. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Books, record players and records,* from Waltham, Mass., to Springfield, Mass., Manchester, N.H., and Hartford and New Haven, Conn.

HEARING: September 25, 1962, at the Hotel Essex, Boston, Mass., before Joint Board 295, or, if the Joint Board waives its right to participate, before Examiner Francis A. Welch.

No. MC 124468, filed May 23, 1962. Applicant: E. L. MURPHY TRUCKING CO., a corporation, 1924 University Avenue, St. Paul 4, Minn. Applicant's attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis 2, Minn. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, Classes A and B explosives and commodities in bulk), between points in the Minneapolis-St. Paul, Minn., Commercial Zone, on the one hand, and, on the other, points in Dunn, Pierce, St. Croix and Polk Counties, Wis.

NOTE: Applicant states the service to be performed will be rendered pursuant to a contract with Sears Roebuck & Co. It is further noted that applicant holds common carrier authority in MC 108119, therefore, dual operations may be involved.

HEARING: September 26, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 124478, filed May 25, 1962. Applicant: WILLIAM MURTEY, 9207 North 18th Street, Phoenix, Ariz. Applicant's attorney: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *New bumpers,* from Ontario, and San Diego, Calif., St. Louis, Mo., and Cleveland, Ohio, to Baltimore, Md., Collingswood, and Newark, N.J., Reading, and York, Pa., and points in New York, and *used and returned bumpers and materials and supplies, used in the manufacture of bumpers,* on return.

NOTE: Applicant states the proposed service will be under a continuing contract with United Bumper Service Corporation of Newark, N.J.

HEARING: September 11, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner Francis A. Welch.

No. MC 124483, filed May 28, 1962. Applicant: COBER TRANSFER CORP., 1900 McCarter Highway, Newark, N.J. Applicant's attorney: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Dolls, games, and toys, plastic, nonplastic, flexible, nonflexible, and stuffed and component parts made of plastic, metal, wood, etc., and any and all other materials, used in the manufacture of dolls, games, and toys,* (1) from Newark, Bloomfield, and Elizabeth, N.J., to points east of the Mississippi River, and Chicago, Ill., Milwaukee, Wis., St. Louis, Mo., and Minneapolis, and St. Paul, Minn., (2) *such commodities as are used in the manufacture of dolls, games, and toys,* from New York, N.Y., points in Westchester, Nassau, and Suffolk Counties, N.Y., Leominster, Fitchburg, Worcester, and Clinton, Mass., to Newark, Elizabeth, and Bloomfield, N.J., and (3) *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified in (1) and (2) above, on return.

NOTE: Applicant states the proposed service is to be performed under exclusive contract with DeLuxe Reading Corporation.

HEARING: September 14, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner Francis A. Welch.

No. MC 124498, filed May 31, 1962. Applicant: ALAN J. STEVE, doing business as AL'S GARAGE, 2730 Dodge Street, Dubuque, Iowa. Applicant's attorney: James M. Adams, 555 Fischer Building, Dubuque, Iowa. Authority sought to operate as a *common carrier,*

by motor vehicle, over irregular routes, transporting: *Wrecked, disabled and repossessed vehicles,* between Dubuque, Iowa, and points in Illinois located on and north of U.S. Highway 30 and on and west of U.S. Highway 51, and points in Wisconsin located on and west of U.S. Highway 51 and on and south of U.S. Highway 16.

HEARING: September 18, 1962, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 111.

No. MC 124501, filed May 31, 1962. Applicant: ARMSTRONG TRUCK LINE, INC., P.O. Box 465, Austin, Minn. Applicant's representative: A. R. Fowler, 2288 University Avenue, Saint Paul 14, Minn. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Feed* and *feed ingredients,* between Austin, Minn., on the one hand, and, on the other, points in Iowa on and north of U.S. Highway 20, and Fremont and Omaha, Nebr.

HEARING: September 26, 1962, at Room 393, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 182.

No. MC 124556, filed June 21, 1962. Applicant: SERVICE TANK LINES, INC., P.O. Box 6248, Hillyard Station, Spokane, Wash. Applicant's attorney: Hugh A. Dressel, 702 Old National Bank Building, Spokane 1, Wash. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bulk liquid asphalt and bulk residual fuel oils,* from Spokane, Wash., including points within ten (10) miles of Spokane, and Pasco, Wash., including points within five (5) miles of Pasco, to points in Idaho north of the southern boundary of Idaho County, Idaho.

HEARING: September 12, 1962, at the Davenport Hotel, Spokane, Wash., before Joint Board No. 169, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

MOTOR CARRIERS OF PASSENGERS

No. MC 123577 (Sub-No. 5), filed March 26, 1962. Applicant: WARWICK-GREENWOOD LAKE AND NEW YORK TRANSIT, INC., 730 Madison Avenue, Paterson, N.J. Applicant's attorney: Edward F. Bowes, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *Passengers and their baggage,* and *express* and *newspapers,* in the same vehicle with passengers, (1) between Warwick Village, N.Y., and Middletown, N.Y.; from junction McEwen Street and New York Highway 17A (also known as New York Highway 94) in Warwick Village, N.Y., over New York Highway 17A through Warwick Township, Village of Florida, and Goshen Township, N.Y., to junction New York Highway 17M (also known as U.S. Highway 6) in Goshen Village, thence over New York Highway 17M through Goshen Village and Township, Wawayanda and Wallkill Townships to Middletown, N.Y., and return over the same routes, serving all intermediate points. (2) between Warwick Village, N.Y., and Wickham Village, Warwick Township, N.Y.; from junction of Main Street and County Highway 13 (also known as Colonial Avenue and Kings Highway) in Warwick Village, over County Highway 13 through Warwick Village and Township, to Wickham Village, Warwick Township, N.Y., and return over the same route, serving all intermediate points. (3) between Goshen Township, N.Y., and Goshen Township, N.Y.; from junction County Highway 68 and New York Highway 17A in Goshen Township, through Goshen Township, over County Highway 68 to junction Pulaski Highway, thence over Pulaski Highway to junction New York Highway 17A in Goshen Township, and return over the same routes, serving all intermediate points. (4) between Village of Florida, N.Y., and Warwick Village, N.Y.; from junction New York Highway 17A and Bridge Street in Village of Florida, over Florida Streets to junction Pumpkin Swamp Road, thence over Pumpkin Swamp Road through Warwick and Goshen Townships to junction County Highway 6 (also known as Pulaski Highway), thence through Warwick Township over County Highway 6 to junction County Highway 1 (also known as Pine Island Turnpike) to junction Main Street (17A), Warwick Village, N.Y., and return over the same routes, serving all intermediate points.

NOTE: Applicant states it proposes to segment the routes described above to its existing route between Warwick and New York, N.Y., via New Jersey.

HEARING: September 10, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner Francis A. Welch.

No. MC 124506, filed June 5, 1962. Applicant: MALCOLM A. MacDONALD, 7 Linwood Street, Brookville, Mass. Applicant's attorney: George Waldstein, 73 Tremont Street, Boston 8, Mass. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *Passengers and their baggage,* and *mail,* in the same vehicle with passengers, between Boston, Mass., and the Port of Entry on the International Boundary line between the United States and Canada at Houlton, Maine; from Boston over U.S. Highway 1 to Portsmouth, N.H., thence over Interstate Highway 95 to Augusta, Maine, thence over U.S. Highway 202 to Bangor, Maine, and thence over U.S. Highway 2 to Houlton, and return over the same route, serving no intermediate points.

HEARING: September 24, 1962, at the Hotel Essex, Boston, Mass., before Joint Board No. 69, or if the Joint Board waives its right to participate, before Examiner Francis A. Welch.

PREHEARING CONFERENCES

The applications immediately following are set for prehearing conference at the time and place designated in the notice of filing as here published in each proceeding. At the pre-hearing conference it is contemplated that the following matters will be discussed: (1) The issues generally with a view to their simplification; (2) The possibility and desirability of agreeing upon special procedure to expedite and control the handling of this application, including the submission of the supporting and opposing shipper testimony by verified statements; (3) The time and place or places of such hearing or hearings as may be agreed upon; (4) The number of witnesses to be presented and the time required for such presentations by both applicant and protestants; (5) The practicability of both applicant and the opposing carriers submitting in written form their *direct* testimony with respect to: (a) Their present operating authority, (b) Their corporate organizations if any, ownership and control, (c) Their fiscal data, (d) Their equipment, terminals, and other facilities; (6) The practicability and desirability of all parties exchanging exhibits covering the immediately above-listed matters in advance of any hearing; and (7) Any other matters by which the hearing can be expedited or simplified or the Commission's handling thereof aided.

No. MC 5429 (Sub-No. 12), filed June 20, 1962. Applicant: LYON VAN LINES, INC., 1950 South Vermont Avenue, Los Angeles 7, Calif. Applicant's attorney: Warren N. Grossman, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *New and used furniture, new and used household furnishings, fixtures, equipment, and appliances, new and used office, store, church, school, library, institutional, and commercial fixtures, equipment, appliances, and furnishings, airplane seats, new and used building fixtures and equipment, including but not limited to arches, balusters, bells, carillons, carts, chimes, columns, cornices, crestings, crosses, fencing, fire escapes (slide type), flower boxes, gates, grills, jardineres, lamps, letters, liturgical arts, louvers, metalwork (ornamental and decorative), millwork, mouldings, panels, placques, posts and ropes, railings, scoreboards, screens, sculptured figures, sculptured modulants, shelf racks on wheels, shutters, signs, solar screens, spires, stages, steeples, sun control devices, treillages, turnstiles, urns, and weathervanes, new and used laboratory, hospital, scientific, dental, medical and school furniture, fixtures, appliances, instruments, and equipment, articles, including objects of art, displays and exhibits, which because of their unusual nature or value require the specialized handling and equipment usually employed in moving household goods, including but not limited to microfilm equipment, television recording cameras, audio equipment, office equipment containing intricate and delicate wiring and of high value, laboratory equipment for micro-wave portable sets, portable carrier sets used in the transmission of telegraph messages, tabulators and accessory tabulating machinery and equipment, stage scenery, props, stage furniture, fixtures and equipment, costumes, baggage, pipe organs, automobiles used for display purposes, articles, including objects of art, displays and exhibits,* not of unusual nature or value but which

require specialized handling, facilities and specifically trained employees not ordinarily in use of general commodity transportation *including but not limited to photographic machinery and equipment used in micro-filming and reproducing photographic records, white line, black line, and blue print machines, pin balls machines, calculating machines and parts, cash registers, cafeteria and kitchen equipment, television sets and transmitting equipment, switchboards, communication equipment, radar equipment, sound systems, phonographs, electronic organs, juke boxes, coin operated vending machines, musical instruments, new floor coverings and voting machines,* between points in the United States, (excluding Hawaii and Alaska).

NOTE: Applicant states that it intends to move for a dismissal of this application as to those of the commodities itemized in Appendix "A" which it believes fall within its present authority to transport household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, also applicant states that it is wholly owned and controlled by Lyon Van & Storage Co., a California corporation.

PREHEARING CONFERENCE: July 26, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., with Examiner James C. Cheseldine presiding.

No. MC 72235 (Sub-No. 6), filed June 28, 1962. Applicant: JOHN F. IVORY STORAGE CO., INC., 8035 Woodward, Detroit 2, Mich., Applicant's attorney: Wilhemina Boersma, 2850 Penobscot Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New and used furniture, new and used household furnishings, fixtures, equipment, and appliances, new and used office, store, church, school, library, institutional, and commercial fixtures, equipment, appliances, and furnishings, airplane seats, new and used building fixtures and equipment, including but not limited to arches, balusters, bells, carillons, carts, chimes, columns, cornices, crestings, crosses, fencing, fire escapes (slide type), flower boxes, gates, grills, jardineres, lamps, letters, liturgical arts, louvers, metalwork (ornamental and decorative), millwork, mouldings, panels, plaques, posts and ropes, railings, scoreboards, screens, sculptured figures, sculptured modulants, shelf racks on wheels, shutters, signs, solar screens, spires, stages, steeples, sun control devices, treillages, turnstiles, urns, and weathervanes, new and used laboratory, hospital, scientific, dental, medical and school furniture, fixtures, appliances, instruments, and equipment, articles, including objects of art, displays and exhibits, which because of their unusual nature or value require the specialized handling and equipment usually employed in moving household goods, including but not limited to microfilm equipment, television recording cameras, audio equipment, office equipment, containing intricate and delicate wiring and of high value, laboratory equipment for micro-wave portable sets, portable carrier sets used in the transmission of telegraph messages, tabulators and accessory tabulating machinery and equipment, stage scenery, props, stage furniture, fixtures and equipment, costumes, baggage, pipe organs, automobiles used for display purposes, articles, including objects of art, displays and exhibits, not of an unusual nature or value but which require specialized handling, facilities and specifically trained employees not ordinarily in use of general commodity transportation including, but not limited to photographic machinery and equipment used in micro-filming and reproducing photographic records, white line, black line, blue print machines, pin ball machines, calculating machines and parts, cash registers, cafeteria and kitchen equipment, television sets and transmitting equipment, switchboards, communication equipment, radar equipment, sound systems, phonographs, electronic organs, juke boxes, coin operated vending machines, musical instruments, new floor coverings and voting machines, all uncrated* (except that small parts and pieces accompanying shipments may be packed in cloth bag and attached to individual article of which it is a component part or shipped separately in a bag, package or box), between points in the United States, including points in Alaska and Hawaii.

NOTE: Applicant states that nothing described in the proposed service is intended to duplicate any authority presently held as a Household Goods Carrier, but only includes those articles which do not properly come within the commodity description Household Goods as defined by the Commission in 17 M.C.C. 467.

PREHEARING CONFERENCE: July 26, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., with Examiner James C. Cheseldine presiding.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

No. MC 1328 (Sub-No. 8), filed June 25, 1962. Applicant: J. J. LONG, INC., Box 175, Frankton Pike, Alexandria, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Accessories used in the installation of mineral wool and mineral wool products* (including but not restricted to metal splines, chanels and clips), when moving at the same time and in the same vehicle with mineral wool and mineral wool products, from Gimco City, Ind., to Jefferson, Iowa, points in Ohio, Illinois, Kentucky, West Virginia, Tennessee, Michigan, points in that part of Pennsylvania on and west of U.S. Highway 219, points in Dunklin, Pemiscot, New Madrid, Mississippi, Stoddard, Scott, Cape Girardeau, Bollinger, Butler, Wayne, Ripley, Carter, Oregon, Shannon, Reynolds, Dent, Iron, Madison, Perry, St. Genevieve, St. Francois, Washington, Crawford, Lewis, Knox, Adair, Putnam, Phelps, Maries, Osage, Gasconade, Franklin, Jefferson, St. Louis, St. Charles, St. Louis City, Warren, Montgomery, Lincoln, Callaway, Cole, Boone, Pike, Audrain, Ralls, Monroe, Randolph, Marion, Shelby, Macon, Schuyler, Scotland and Clark Counties, Mo., points in Lee, Van Buren, Davis, Appanoose, Wayne, Des Moines, Henry, Louisa, Jefferson, Wapello, Monroe, Lucas, Warren, Marion, Mahaska, Keokuk, Washington, Muscatine, Scott, Clinton, Cedar, Johnson, Iowa, Poweshiek, Jasper, Polk, Marshall, Tama, Benton, Linn, Jones, Jackson, Dubuque, Delaware, Buchanan, Black Hawk, Bremer, Fayette, Clayton, Winneshiek, and Allamakee Counties, Iowa, and points in Kenosha, Racine, Walworth, Rock, Green, Lafayette, Grant, Iowa, Dane, Jefferson, Waukesha, Milwaukee, Ozaukee, Washington, Dodge, Columbia, Sauk, Richland, Crawford, Vernon, La Crosse, Monroe, Juneau, Adams, Marquette, Waushara, Green Lake, Fond du Lac, Winnebago, Calumet, Sheboygan, Manitowoc, Jackson, Wood, Portage, Waupaca, Outagamie, Brown, Kewaunee, Door, Clark, Marathon, and Shawano Counties, Wis., and *damaged shipments* of the commodities specified above, on return.

NOTE: Applicant states the operations described in the proposed service are limited to a transportation service to be performed under a continuing contract or contracts with National Gypsum Company of Buffalo, N.Y.

No. MC 9115 (Sub-No. 51), filed July 2, 1962. Applicant: OREGON NEVADA CALIFORNIA FAST FREIGHT, INC., 2800 West Bayshore Road, Palo Alto, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Tokeland, and Raymond, Wash., and (2) between Megler, and Knappton, Wash., (a) from Tokeland, over Washington Highway 13A to the junction of U.S. Highway 101, near Raymond, and return over the same route serving all intermediate points, and (b) from Megler over Washington Highway 12B to Knappton and return over the same route, serving all intermediate points.

NOTE: Common control may be involved.

No. MC 30311 (Sub-No. 21), filed July 2, 1962. Applicant: A.C.E. FREIGHT, INC., 395 Baird Street, Akron, Ohio. Applicant's attorney: Ralph J. Dalessio, 165 West Center Street, Akron 2, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) as follows: (1) From junction of Ohio Highway 8 and Ohio Highway 82 eastward to junction with Ohio Highway 306; thence northward on Ohio Highway 306 to its junction with Interstate Highway 90; thence northward on Ohio Highway 306 to its junction with U.S. Highway 20, and return; (2) from junction of present travel route, over Ohio Highway 14 and Ohio Highway 303, eastward over Ohio

Highway 303 to its junction with Ohio Highway 82; thence over Ohio Highway 82 to junction with Ohio Highway 5, and return; (3) over U.S. Highway 21 between Cleveland, Ohio and Massillon, Ohio crossing and connecting with presently authorized travel-only route over Ohio Highway 82 and presently authorized regular route designated as Ohio Highway 18 and U.S. Highway 224, and return. Applicant states that all of the above-specified routes are within the presently authorized 15-mile radius of Akron, Ohio, from and to the east only, as specified on Sheet No. 6 of Sub 18 of present authority which is restricted to traffic from and to eastern points as indicated on Sheet 7 of said Sub 18. It is further stated that no additional authority is herein sought, the application referring to travel routes only. Applicant further states that it is controlled through stock ownership by E. C. McCormick, Jr., who also owns stock in Dixie-Ohio Express, Inc.

No. MC 66562 (Sub-No. 1896), filed June 25, 1962. Applicant: RAILWAY EXPRESS AGENCY, INC., 219 East 42d Street, New York 17, N.Y. Applicant's attorney: William H. Marx, 219 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between Bellefonte, Pa., and State College, Pa., from Bellefonte, over Pennsylvania Highway 53 to junction Pennsylvania Highway 45, thence over Pennsylvania Highway 45 to junction U.S. Highway 322, and thence over U.S. Highway 322 to State College, and return over the same route, serving the intermediate point of Centre Hall, Pa.

NOTE: Applicant states that service to be performed will be limited to that which is auxiliary to or supplemental of express service, and shipments to be transported will be limited to those moving on a through bill of lading or express receipt covering in addition to a motor carrier movement by applicant, and immediately prior or immediately subsequent movement by rail or air. The proposed service will be an extension of and be operated in connection with applicant's existing authority in MC 66562 Sub 1045.

No. MC 66562 (Sub-No. 1897), filed June 25, 1962. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: William H. Marx (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Commodities generally*, moving in express service, between Baltimore, Md., and Newark, Del.; from Baltimore over U.S. Highway 40 to Glasgow, Del., thence over Delaware Highway 896 to Newark, and return over the same route, serving the intermediate points of Aberdeen and Elkton, Md., and the off-route point of Perryville, Md.

NOTE: Applicant states "service to be performed will be limited to that which is auxiliary to, or supplemental of express service, and shipments to be transported will be limited to those moving on a through bill of lading or express receipt."

No. MC 66562 (Sub-No. 1899), filed June 25, 1962. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: William H. Marx (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over Regular routes, transporting: *Commodities generally*, moving in express service, between Aspers, and Gardners, Pa., from Aspers, over Pennsylvania Highway 34, to Gardners, and return over the same route, serving no intermediate or off-route points.

NOTE: Applicant states the proposed service will be an extension of and operated in connection with applicant's existing authorized regular routes operation between Gettysburg, and Aspers, Pa., as shown in MC 66562 Sub-No. 561. It is further noted the proposed service will be limited to that which is auxiliary to or supplemental of express service, and shipments to be transported will be limited to those moving on a through bill of lading or express receipt covering, in addition to a motor carrier movement by applicant, an immediately prior or immediately subsequent movement by rail or air.

No. MC 110525 (Sub-No. 521), filed June 29, 1962. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downington, Pa., Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Transformer oil*, in bulk, in tank vehicles, from Canonsburg, Pa., to points in Delaware, Maryland, New Jersey, New York, Ohio, and West Virginia.

No. MC 115162 (Sub-No. 77), filed June 22, 1962. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Evergreen, Ala. Applicant's attorney: Hugh R. Williams, 3020 West Fairview Avenue, Montgomery 2, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Mobile and Baldwin County, Ala., to points in Arkansas, Texas, and Kansas.

No. MC 115162 (Sub-No. 78), filed June 27, 1962. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Evergreen, Ala. Applicant's attorney: Hugh R. Williams, 3020 West Fairview, Montgomery 2, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed and poultry feed*, in bags, packages and in bulk, from Troy, Ala., to points in Dodge, Thomas, and Grady Counties, Ga.

No. MC 124389 (Sub-No. 1), filed June 29, 1962. Applicant: TORVAL R. MONCRIEFF, 1301 "I" Street, Anchorage, Alaska. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, and *articles distributed by meatpacking houses*, as defined by the Commission, from ports of entry in Alaska on the International Boundary line between the United States and Canada, to Anchorage, Alaska, restricted to traffic originating in Canada.

NOTE: Applicant states that the above will be transported for the account of Louis A. Comeau.

MOTOR CARRIERS OF PASSENGERS

No. MC 115030 (Sub-No. 12), filed June 15, 1962. Applicant: W. R. CHESTER, doing business as TRENTON-ST. JOSEPH COACHES, 1801 South Ninth Street, St. Joseph, Mo. Applicant's attorney: C. Zimmerman, 503 Schweiter Building, Wichita 2, Kans. 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, between Atchison, Kans. and Kansas City, Mo.; from Atchison over U.S. Highway 73 to junction with parallel Road, and thence over parallel Road to Kansas City, Kans., thence over intercity viaduct to Kansas City, and return over the same route, serving all intermediate points.

No. MC 124565, filed June 25, 1962. Applicant: DAHLONEGA-ATLANTA COACH LINES, INC., P.O. Box 491, Alpharetta, Ga. 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 vehicles with passengers, (1) from the junction of Georgia Highways 115 and 52 to Westminster, S.C., as follows: From the Junction of Georgia Highway 115 and 52 over Georgia Highway 115 to its junction with unnumbered highway at a point 3.6 miles east of Clarksville, Ga.; thence over unnumbered highway to its junction with Georgia Highway 17 at a point 6.4 miles west of Toccoa, Ga.; thence over Georgia Highway 17 to Toccoa; thence over U.S. Highway 123 to the junction with South Carolina Highway S–37–34; thence over South Carolina Highway S–37–34 to the junction with U.S. Highway 76; thence over U.S. Highway 76 to Westminster, S.C., and return over the same route, serving all intermediate points *except with closed doors to passengers wishing to ride between Toccoa, Ga., and the junction of U.S. Highway 123 and South Carolina Highway S–37–34.* (2) From Gainesville, Ga. to Cleveland, Ga., over Georgia Highway 11 (U.S. 129), and return over the same route, serving all intermediate points. (3) From the junction of Georgia Highway 11 (U.S. 129) and Georgia Highway 254, to the junction of Georgia Highways 254 and 115, over Georgia Highway 254, returning over the same route, and serving all intermediate points. (4) From the junction of Georgia Highways 53 and 306 to junction of Georgia Highways 306 and 9, over Georgia Highway 306, and return over the same route, serving all intermediate points. (5) From Athens, Ga. to Gainesville, Ga., over U.S. 129, returning over the same route and serving all intermediate points. (6) From Jasper, Ga., to Chattanooga, Tenn., as follows: From Jasper, Ga., to Calhoun, Ga., over Georgia Highway 53; thence over Georgia Highway 143 to its junction with Georgia Highway 151; thence over Georgia Highway 151 to its junction with Georgia 95; thence over Georgia Highway 95 to its junction with Georgia Highway 1 (U.S. Highway 27); thence over U.S. Highway 27 to Chattanooga, Tenn., and return over the same route, serving all intermediate points, *except*

with closed doors between Junction of Georgia Highway 95 and U.S. Highway 27 and Chattanooga, Tenn., to passengers wishing to ride between those points.

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-7996 (THE SAVIN EXPRESS CO.—CONTROL—MERCHANTS SERVICE TRUCKING, INC.), published in the November 22, 1961 issue of the FEDERAL REGISTER on page 10952, referred to acquisition of control only through stock ownership and did not state that a request had been made for authority to merge the properties of the carriers involved. Order entered June 29, 1962, by the Commission, Finance Board No. 1, approved and authorized the acquisition by THE SAVIN EXPRESS COMPANY of control of MERCHANTS SERVICE TRUCKING, INC., through purchase of its outstanding capital stock, the merger of the operating rights and properties of MERCHANTS SERVICE TRUCKING, INC., into THE SAVIN EXPRESS COMPANY for ownership, management and operation, and the acquisition by M. A. SAVIN, HENRY SAVIN, and RUTH GREENBERG of control of the operating rights and property through the transaction. This order shall be effective 35 days from the date of this publication.

No. MC-F-8144 (MIDWEST MOTOR EXPRESS, INC.—PURCHASE—ROBERT JOHN DANIEL), published in the May 16, 1962 issue of the FEDERAL REGISTER on page 4649. Supplement filed June 29, 1962, to show joinder of J. A. ROSWICK, 305 West Broadway, Bismarck, N. Dak., and W. J. GREENSTEIN, 708 North Prior, St. Paul, Minn., as persons in control of MIDWEST MOTOR EXPRESS, INC.

No. MC-F-8174. Authority sought for control by PUGET SOUND TRUCK LINES, INC., Pier 62, Seattle, Wash., of PUGET SOUND TRUCKING CO., Pier 62, Seattle, Wash., upon the latter's institution of operations in interstate or foreign commerce, as a contract carrier by motor vehicle, for which application has been made, as described below, and for acquisition by PUGET SOUND FREIGHT LINES, Pier 62, Seattle 1, Wash., and, in turn by C. H. CARLANDER, H. E. LOVEJOY, Individually and as Co-Executor of the Estate of EDITH R. LOVEJOY, J. KNOX WOODRUFF, JEAN LOVEJOY, Individually and as Co-Executrix of the Estate of EDITH R. LOVEJOY, L. S. CARLANDER, all of Pier 62, Seattle 1, Wash., G. W. FOSS, 705 Dock Street, Tacoma, Wash., and PEOPLES NATIONAL BANK OF WASHINGTON in Seattle, Co-Executor of the Estate of EDITH R. LOVEJOY, of control of PUGET SOUND TRUCKING CO., through the acquisition by PUGET SOUND TRUCK LINES, INC. Applicants' attorney: Charles J. Keever, 2112 Washington Building, P.O. Box 340, Seattle 1, Wash. Concurrently with the filing of this application PUGET SOUND TRUCKING CO., filed an application on Form BMC-78 (Docket No. MC-124578) for a *contract carrier* permit to transport palletized metal cans, palletized can ends in cartons, fibreboard pallet pack sleeves, fibreboard caps, fibre divider sheets, and wooden pallets, over irregular routes between Portland, Oreg., on the one hand and Olympia, Tumwater, Lacey and Seattle, Wash., on the other hand. PUGET SOUND TRUCK LINES, INC., is authorized to operate as a *common carrier* in Washington and Oregon. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8175. Authority sought for purchase by ALBERT L. EVANS, doing business as EVANS DELIVERY COMPANY, R.D. 3 (P.O. Box 268), Pottsville, Pa., of the operating rights of WM. G. McCORMICK, INC., 601 Centre Street, Ashland, Pa. Applicants' attorney: John P. McCord, Masonic Building, Pottsville, Pa. Operating rights sought to be transferred: *Household goods,* as a *common carrier* over irregular routes between Ashland, Pa., and points within 25 miles of Ashland, on the one hand, and, on the other, points in Pennsylvania, Ohio, West Virginia, Virginia, New Jersey, New York, Maryland, Delaware, and the District of Columbia. Vendee 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. 62-6744; Filed, July 10, 1962; 8:46 a.m.]

[No. 34075]

COAL; UTAH ORIGINS TO PORTLAND, OREGON FOR EXPORT

Demurrage Charges

JULY 5, 1962.

Notice is hereby given that the Union Pacific Railroad Company, by its attorneys, Randall B. Kester and Robert B. Batchelder, 727 Pittock Block, Portland 5, Oregon, has filed a petition for a declaratory order pursuant to section 5(d) of the Administrative Procedure Act, to determine the applicable tariff governing demurrage, reweighing and transportation charges on coal shipped from points in Utah to Portland, Oregon, and Seattle, Washington; and that suits have been filed in the U.S. District Court for the Western District of Washington, Northern Division and in the U.S. District Court for the District of Utah, Central Division, which suits have been stayed pending administrative determination by the Commission of the issues to be presented by said petition.

Petitioner filed its opening statement on June 23, 1962. If any party desires a copy of this representation, contact petitioner's attorneys at the above address. Any persons interested in any of the matters in said petition may, on or before August 8, 1962, file replies in opposition to the relief sought. An original and 6 copies of such replies must be filed with the Commission and must show service upon petitioner's attorneys. Anyone supporting petitioner may file a reply to the representations in opposition on or before 10 days after such representations have been filed.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-6752; Filed, July 10, 1962; 8:53 a.m.]

[Notice 218]

FOURTH SECTION APPLICATION FOR RELIEF

JULY 6, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 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. 37825: *Empty returned aluminum beer cans from and to points in WTL territory.* Filed by Western Trunk Line Committee, Agent (No. A-2262), for interested rail carriers. Rates on cans, aluminum, beer, in bags, in mixed carloads with other empty containers, returned, the weight of aluminum beer cans not to exceed 1,000 pounds, between points in western trunk-line territory, on the one hand, and points in southern territory, on the other.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 53 to Western Trunk Line Committee tariff I.C.C. A-4339.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-6745; Filed, July 10, 1962; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—JULY

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