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## TITLE 7—AGRICULTURE

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

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

##### SUBPART—UNITED STATES STANDARDS FOR GRADES OF CANNED PINEAPPLE<sup>1</sup>

On October 19, 1956, a notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 8059) regarding a proposed revision of the United States Standards for Grades of Canned Pineapple (7 CFR 52.1711—52.1725). The provisions of the following standards are the same as those contained in the notice except for changes in Table II, and in degrees of trimming in § 52.1724 as applicable to Grade B sliced pineapple and the scoring of half sliced pineapple.

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

##### PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.	
52.1711	Product description.
52.1712	Styles of canned pineapple.
52.1713	Grades of canned pineapple.

##### LIQUID MEDIA, FILL OF CONTAINER, AND DRAINED WEIGHTS

52.1714	Liquid media and Brix measurements for canned pineapple.
52.1715	Fill of container for canned crushed pineapple.
52.1716	Recommended fill of container for other than canned crushed pineapple.

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

Sec.	
52.1717	Drained weights for canned crushed pineapple.
52.1718	Recommended minimum drained weights for canned pineapple other than canned crushed pineapple.

##### COUNT AND SIZE SLICES AND HALF SLICES

52.1719	Recommended counts and sizes of slices and half slices.
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##### FACTORS OF QUALITY

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##### SCORE SHEET

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AUTHORITY: §§ 52.1711 to 52.1727 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

##### PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.1711 *Product description.* "Canned pineapple" means canned pineapple as such product is defined in the standard of identity for canned pineapple (21 CFR 27.50) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.1712 *Styles of canned pineapple—*  
(a) *Sliced, slices.* "Sliced" or "slices" consist of whole circular slices cut across the axis of the peeled, cored fruit cylinders.

(b) *Half sliced, half slices.* "Half sliced" or "half slices" consist of semi-circular halves of slices. A unit that is approximately one-half slice is considered to be a half slice.

(c) *Broken sliced, broken slices.* "Broken sliced" or "broken slices" consist of arc-shaped portions cut or broken from slices, which portions are not uniform in size or shape.

(d) *Tidbits.* "Tidbits" consist of sectors cut from slices. Tidbits are reason-

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ably uniform in size and shape; they are predominantly from 5/16-inch to 1/2-inch thick; and, except for an occasional unit, each sector is not larger than one-sixth of the slice from which cut. Tidbits are considered "small tidbits" or "large tidbits" if they conform to the following approximate dimensions:

(1) *Small tidbits.*

Length of outside arc----	More than 3/8 inch but not more than 1/2 inch.
Thickness-----	More than 5/16 inch but not more than 1/2 inch.
Length (measured along the radius from the inside arc to the outside arc).	More than 1 1/16 inch but not more than 1 1/4 inches.

(2) *Large tidbits.*

Length of outside arc----	More than 3/4 inch but not more than 2 inches.
Thickness-----	More than 5/16 inch but not more than 1/2 inch.
Length (measured along the radius from the inside arc to the outside arc).	More than 1 1/16 inch but not more than 1 3/4 inches.

(e) *Chunks.* "Chunks" consist of short, thick pieces cut from thick slices or from peeled, cored fruit. Chunks may or may not be symmetrical or uniform in shape and size. Predominantly, the units have a thickness greater than 1/2-inch, a width greater than 5/16-inch, but a longest dimension (along any edge) not greater than 1 1/2 inches. Chunks which are symmetrical are considered "symmetrical chunks."

(f) *Cubes, diced.* "Cubes" or "diced" consist of cube-shaped pieces cut from slices or from peeled, cored fruit. Except for an occasional unit, the longest dimension (along any edge) of each unit is not greater than 5/16-inch.

(g) *Spears, fingers.* "Spears" or "fingers" consist of long, slender pieces cut parallel to the core axis from peeled, cored fruit cylinders. The units are not larger than one-sixth of the cylinder from which they are cut, and they are not less than 2 1/2 inches long.

(h) *Crushed.* "Crushed" consists of shredded or finely cut pieces of fruit flesh.

§ 52.1713 *Grades of canned pineapple.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of sliced, tidbits, chunks, cubes, spears, or crushed canned pineapple that possesses a good color; that is practically uniform in size and shape for the applicable style; that is practically free from defects; that possesses a good character; that possesses a good flavor and odor; that is not excessively tart; and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 90 points.

(b) "U. S. Grade B" or "U. S. Choice" is the quality of sliced, tidbits, chunks, cubes, spears, or crushed canned pineapple that possesses a reasonably good color; that is reasonably uniform in size and shape for the applicable style; that is reasonably free from defects; that possesses a reasonably good character; that possesses a fairly good flavor and odor; that is not excessively tart; and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 80 points.

(c) "U. S. Grade C" or "U. S. Standard" is the quality of half sliced or broken sliced canned pineapple that possesses a good, reasonably good, or fairly good color; that, in the style of half slices, is practically uniform, reasonably uniform, or fairly uniform in size and shape; that, in the style of broken slices, is not uniform in size and shape; that is practically free, reasonably free, or fairly free from defects; that possesses a good, reasonably good, or fairly good character; that possesses a good or fairly good flavor and odor; that is not excessively tart; and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points.

(d) "Substandard" is the quality of canned pineapple that fails to meet the applicable requirements of U. S. Grade A or U. S. Fancy, U. S. Grade B or U. S. Choice, or U. S. Grade C or U. S. Standard and is the quality of canned pineapple that may or may not meet the minimum standard of quality for canned pineapple issued pursuant to the Federal Food, Drug, and Cosmetic Act. Canned pineapple that is excessively tart is also "Below Standard in Quality—Good Food—Not High Grade" or "Below Standard in Quality—Excessively tart."

**LIQUID MEDIA, FILL OF CONTAINER, AND DRAINED WEIGHTS**

§ 52.1714 *Liquid media and Brix measurements for canned pineapple.* "Cut-out" requirements for liquid media in canned pineapple are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix measurements, as applicable, for the respective designations are as follows:

(1) *All styles other than crushed canned pineapple.*

Designations	Brix measurement
"Extra-heavy sirup"---	22° or more but not more than 35°.
"Heavy sirup"-----	18° or more but less than 22°.
"Light sirup"-----	14° or more but less than 18°.
"In water"-----	Packed in water.
"In pineapple juice" or "In unsweetened pineapple juice".	Packed in pineapple juice.
"In-clarified juice"---	Packed in clarified juice.

(2) *Crushed canned pineapple.*

Designations	Brix measurement
"Extra-heavy sirup" or "Extra heavily sweetened".	22° or more but not more than 35°.
"Heavy sirup" or "Heavily sweetened".	18° or more but less than 22°.
"Light sirup" or "Lightly sweetened".	14° or more but less than 18°.
"Unsweetened" or "In pineapple juice".	Packed in pineapple juice.
"In clarified juice"---	Packed in clarified juice.

§ 52.1715 *Fill of container for canned crushed pineapple.* The standard of fill of container for canned crushed pineapple is a fill of not less than 90 percent of the total capacity of the container. Canned crushed pineapple that does not meet this requirement is "Below Standard in Fill."

§ 52.1716 *Recommended fill of container for other than canned crushed pineapple.* The recommended fill of container for canned pineapple is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of canned pineapple of all styles other than crushed style be as full of pineapple as practicable without impairment of quality and that the product and packing medium occupy not less than 90 percent of the volume of the container.

§ 52.1717 *Drained weights for canned crushed pineapple—(a) General.* Minimum drained weights for canned crushed pineapple are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades; however, minimum drained weights for canned crushed pineapple other than "heavy pack" or "solid pack" are a standard of quality, and minimum drained weights for canned crushed "heavy pack" and "solid-pack" pineapple are a standard of identity, under the Federal Food, Drug, and Cosmetic Act. Canned crushed pineapple other than "heavy pack" or "solid pack" which is less than 63 percent of the net weight of the contents of the container is:

- Below Standard in Quality.
- Good Food—Not High Grade.
- (or)
- Below Standard in Quality.
- Contains excess liquid.

RULES AND REGULATIONS

(b) *Method for ascertaining the drained weight of canned crushed pineapple.* Pour the contents of the can on a round sieve made with No. 8 woven-wire cloth complying with the specifications for such cloth in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the United States Department of Commerce, National Bureau of Standards. Use a sieve 8 inches in diameter for containers of less than 3 pounds net contents and a sieve 12 inches in diameter for larger containers. Incline the sieve, without shifting the contents, to facilitate draining. Allow to drain for 2 minutes from the time the contents of the container are poured on the sieve. Immediately transfer the drained pineapple to a clean, dry, tared pan by inverting the sieve over the pan in one moderately rapid motion, and determine the weight of the drained pineapple.

TABLE I—MINIMUM DRAINED WEIGHTS FOR CANNED CRUSHED PINEAPPLE

Any container size	Other than "heavy pack" or "solid pack"	"Heavy pack" crushed	"Solid pack" crushed
	Drained fruit: Not less than 63 percent by weight of contents	Drained fruit: Not less than 73 percent but less than 78 percent by weight of contents	Drained fruit: Not less than 78 percent by weight of contents
300 x 204	3	2 1/2	4
No. 1 Flat	3 3/4	2 3/4	5
8 Z Tall	2 1/2	3 1/4	5
211 Cylinder	2 1/2	4 1/4	7 3/4
No. 1 1/4	4 1/4	2 7/8	9 1/4
No. 2	3 3/4	4 3/4	12 3/4
No. 2 1/2	4 1/4	4 1/4	18 1/4
No. 10	6 3/4	7	65 3/4

§ 52.1718 *Recommended minimum drained weights for canned pineapple other than canned crushed pineapple—*  
(a) *General.* The minimum drained weight recommendations for the various styles of canned pineapple in Table II or Table III are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining drained weight in canned pineapple other than canned crushed pineapple.* The drained weight of canned pineapple other than canned crushed pineapple is determined by emptying the contents of the container upon a United States Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-inch ±3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for two minutes. The drained weight is the weight of the sieve and pineapple less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

(c) *Compliance with recommended drained weights in canned pineapple other than canned crushed pineapple.* Compliance with the recommended drained weights for canned pineapple other than canned crushed pineapple is determined by averaging the drained weights from all the containers which

are representative of a specific lot and such lot is considered as meeting the recommendations if the following criteria are met:

(1) The average of the drained weights from all of the containers meets the recommended drained weight;

(2) One-half or more of the containers meet the recommended drained weight; and

(3) The drained weights from the containers which do not meet the recommended drained weight are within the range of variability for good commercial practice.

TABLE II—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR SLICES, HALF SLICES, AND BROKEN SLICES

Container designation	Container size overall dimensions		Slices	Half slices	Broken slices
	Width	Height			
	Inches	Inches			
300 x 204	3	2 1/2	4	5	6 1/2
No. 1 Flat	3 3/4	2 3/4	5 1/4	6	7 1/4
No. 1 1/4	4 1/4	2 7/8	9 1/4	9	10 1/4
No. 1 Tall	3 1/4	4 1/4	10 1/4	10 1/4	12 1/4
No. 2	3 3/4	4 3/4	12 3/4	12 3/4	15 3/4
No. 2 1/2	4 1/4	4 1/4	18 1/4	18	21 1/4
No. 10	6 3/4	7	61 1/2	61 1/2	74 1/2

TABLE III—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CHUNKS, CUBES, SPEARS, AND TIDBITS

Container designation	Container size, overall dimensions		Chunks	Cubes	Spears	Tidbits
	Width	Height				
	Inches	Inches				
300 x 204	3	2 1/2	4	4	5	6 1/2
No. 1 Flat	3 3/4	2 3/4	5	5	6	7 1/4
8 Z Tall	2 1/2	3 1/4	5	5	6	7 1/4
211 Cylinder	2 1/2	4 1/4	7 3/4	7 3/4	8 3/4	10 1/4
No. 1 1/4	4 1/4	2 7/8	9 1/4	9 1/4	10 1/4	12 1/4
No. 2	3 3/4	4 3/4	12 3/4	12 3/4	12 3/4	15 3/4
No. 2 1/2	4 1/4	4 1/4	18 1/4	18 1/4	18 1/4	21 1/4
No. 10	6 3/4	7	65 3/4	71 3/4	71 3/4	85 3/4

COUNT AND SIZE OF SLICES AND HALF SLICES

§ 52.1719 *Recommended counts and sizes of slices and half slices.* The recommended minimum number of slices and half slices, together with the recommended approximate thickness and approximate diameter for the respective counts per container, are shown in Table IV for the most common container sizes for these styles. Compliance with the recommended minimum slices in No. 10 cans only is ascertained by averaging the

slices from all the containers which are representative of a specific lot and such lot is considered as meeting the recommendations: *Provided*, That in any single container the count of slices in "Small" slices, that average approximately 57 to 60 count, shall be not less than 54; in "Small" slices, that average approximately 64 count, shall be not less than 60; in "Medium" slices shall be not less than 48; and in "Large" slices shall be not less than 27.

TABLE IV

Container designation	Slices minimum per can	Half slices minimum per can	Approximate thickness of slices and half slices	Approximate diameter of slices and half slices	Approximate diameter of core holes (inches)	Size of slice designation
			Inches	Inches		
No. 1 Tall	10		5/16	2 1/2	1 inch	Small.
300 x 204	4		5/16	2 1/2	1 1/4 to 1 3/8	
No. 10	64		5/16	2 1/2	1 inch	
No. 10	57		5/16	2 1/2	1 1/4 to 1 3/8	Medium.
No. 1 Flat	4	8	5/16	2 1/2	1 1/4 to 1 3/8	
No. 2	10	20	5/16	2 1/2	1 1/4 to 1 3/8	
No. 10	50		5/16	2 1/2	1 1/4 to 1 3/8	Large.
No. 1 1/4	4	8	7/16	3 1/2	1 1/4 to 1 3/8	
No. 2 1/2	8	16	7/16	3 1/2	1 1/4 to 1 3/8	
No. 10	28		7/16	3 1/2	1 1/4 to 1 3/8	

FACTORS OF QUALITY

§ 52.1720 *Ascertaining the grade—*  
(a) *General.* In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors not rated by score points in canned pineapple.* (i) Flavor and odor;

(ii) Tartness.

(2) *Factors rated by score points in canned pineapple.*

The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
(i) Color	30
(ii) Uniformity of size and shape	20
(iii) Absence of defects	20
(iv) Character	30

Total score..... 100

(b) *Definition of flavor and odor—*(1) *Good flavor and odor.* "Good flavor and odor" means that the canned pineapple possesses a distinct and normal flavor for the variety; is characteristic of properly ripened and properly matured pineapple that has been properly prepared and processed; and is free from objectionable flavors and objectionable odors of any kind.

(2) *Fairly good flavor and odor.* "Fairly good flavor and odor" means

that the canned pineapple may be lacking in good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

(c) *Definition of tartness; excessively tart.* "Excessively tart" means that more than 1.35 grams of acid, calculated as anhydrous citric acid, is present in 100 milliliters of the pineapple liquid as defined and determined in accordance with paragraphs (d) and (e) of this section.

(d) *Definition of acid.* "Acid", in all styles of canned pineapple, means grams of acid, calculated as anhydrous citric acid, as contained in 100 milliliters of the liquid drained from the product 15 days or more after the pineapple is canned.

(e) *Method for determination of acidity.* Total acidity of the drained liquid is determined by the following method:

(1) Measure with a pipette 10 milliliters of the unfiltered drained liquid into a 250-milliliter Erlenmeyer flask.

(2) Add 25 milliliters of freshly boiled, distilled water and 0.3 milliliter of 1-percent phenolphthalein solution.

(3) Titrate with one-tenth normal sodium hydroxide solution to a faint, permanently pink coloration.

(4) Multiply the number of milliliters of one-tenth normal sodium hydroxide required by 0.064 to calculate the number of grams of anhydrous citric acid per 100 milliliters of drained liquid.

§ 52.1721 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.1722 *Color*—(a) (A) *classification.* Sliced, half sliced, broken sliced, tidbits, chunks, cubes, spears, or crushed canned pineapple that possesses a good color may be given a score of 27 to 30 points. Half sliced or broken sliced canned pineapple that scores 27 to 30 points shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a partial limiting rule). "Good color" means that the color of the pineapple units or mass is bright and is characteristic of properly ripened and properly matured pineapple of similar varietal characteristics; and that there may be slight variations in shades of such characteristic color in the units, within each unit, or within the mass, and that white radiating streaks may be present: *Provided*, That such variations do not materially affect the appearance of the product.

(b) (B) *classification.* Sliced, half sliced, broken sliced, tidbits, chunks, cubes, spears, or crushed canned pineapple that possesses a reasonably good color may be given a score of 24 to 26 points. Half sliced or broken sliced canned pineapple that scores 24 to 26 points shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a partial limiting rule); and other styles of canned pineapple that fall into this classification

shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the color of the pineapple units or mass may be no more than slightly dull but is characteristic of properly matured pineapple of similar varietal characteristics; and that there may be marked variations in shades of such characteristic color in the units, within each unit, or within the mass, and that white radiating streaks may be present: *Provided*, That such variations do not seriously affect the appearance of the product.

(c) (C) *classification.* Half sliced or broken sliced canned pineapple that possesses a fairly good color may be given a score of 21 to 23 points. Half sliced or broken sliced canned pineapple that scores in this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the color of the pineapple units may be dull but is characteristic of properly matured pineapple of similar varietal characteristics; and that there may be marked variations in shades of such characteristic color in the units or within each unit or white radiating streaks may be present which variations may seriously affect the appearance of the product.

(d) (SStd) *classification.* Canned pineapple that for any reason is off color or that fails to meet the applicable requirements of paragraph (b) or (c) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1723 *Uniformity of size and shape*—(a) *General.* The factor of uniformity of size and shape is not based on any detailed requirements and is not scored for the style of crushed pineapple; the other three factors (color, absence of defects, and character) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score for canned crushed pineapple.

(b) *Radial axis.* "Radial axis" in the case of slices and half slices means the measurement along the radius from the inside arc to the outside arc.

(c) *Length.* In the case of tidbits and chunks, "length" means the measurement along the radius from the inside arc to the outside arc; and in the case of spears, "length" means the longitudinal measurement of the spear.

(d) *Sieve with 5/16-inch square openings.* "Sieve with 5/16-inch square openings" means the meshes of a sieve designated as 5/16-inch in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the United States Department of Commerce, National Bureau of Standards.

(e) (A) *classification.* Sliced, half sliced, tidbits, chunks, cubes, or spears of canned pineapple that are practically uniform in size and shape may be given a score of 18 to 20 points. Half sliced canned pineapple that scores 18 to 20 points shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is

a partial limiting rule). "Practically uniform in size and shape" has the following meanings with respect to the following styles of canned pineapple:

(1) *Sliced.* (i) The diameter of the slice with the longest diameter does not exceed the diameter of the slice with the shortest diameter by more than 1/16 inch.

(ii) The thickness of the slice with the widest thickness at the circumference does not exceed the thickness of the slice with the most narrow thickness at the circumference by more than 3/32 inch.

(iii) The maximum radial axis of any slice does not exceed the minimum radial axis of the same slice by more than 1/8 inch.

(iv) The drained weight of the largest slice is not more than 1.4 times the weight of the smallest slice.

(2) *Small tidbits.* (i) Not more than 7 1/2 percent of the drained weight may consist of units which may fail to conform to any one or more of the following dimensions:

Length of outside arc.....	More than 3/8 inch but not more than 3/4 inch.
Thickness.....	More than 5/16 inch but not more than 1/2 inch.
Length.....	More than 1 1/16 inch but not more than 1 1/4 inches.

(ii) Not more than 7 1/2 percent of the drained weight may consist of units each of which weighs less than three-fourths as much as the average weight of all the untrimmed tidbits.

(3) *Large tidbits.* (i) Not more than 7 1/2 percent of the drained weight may consist of units which may fail to conform to any one or more of the following dimensions:

Length of outside arc.....	More than 3/4 inch but not more than 1 1/4 inches.
Thickness.....	More than 5/16 inch but not more than 1/2 inch.
Length.....	More than 1 1/16 inch but not more than 1 1/4 inches.

(ii) Not more than 7 1/2 percent of the drained weight may consist of units each of which weighs less than three-fourths as much as the average weight of all the untrimmed tidbits.

(4) *Chunks.* (i) None of the units may have a longest dimension (along any edge) greater than 1 1/2 inches.

(ii) Not more than 10 percent of the drained weight consists of pieces weighing less than 3/16 ounce each.

(5) *Symmetrical chunks.* (i) None of the units may have a longest dimension (along any edge) greater than 1 1/2 inches.

(ii) Not less than an aggregate of 90 percent of the drained weight consists of pieces weighing 3/16 ounce or more each and exceed at least one of the following dimensions:

Length of outside arc.....	5/16 inch.
Thickness.....	1/2 inch.
Length.....	1 1/16 inch.

(6) *Cubes.* Not more than an aggregate of 10 percent of the drained weight may consist of:

(i) units of such size that they pass through the meshes of a sieve with 5/16-inch square openings; and

(ii) Pieces weighing more than 3/32 ounce each.

(7) *Spears.* (i) The units are of substantially equal length.

(ii) Not more than 10 percent, by count, of the units or not more than one unit in a container of less than 10 units, may be less than  $\frac{3}{4}$  inch or more than  $1\frac{3}{4}$  inches in the longest edge dimension other than the longitudinal measurement of the spear.

(iii) The drained weight of the largest spear is not more than 1.4 times the weight of the smallest spear.

(8) *Half sliced.* (i) The diameter of the half slice with the longest diameter does not exceed the diameter of the half slice with the shortest diameter by more than  $\frac{1}{16}$  inch.

(ii) The thickness of the half slice with the widest thickness at the circumference does not exceed the thickness of the half slice with the most narrow thickness at the circumference by more than  $\frac{1}{32}$  inch.

(iii) The drained weight of the largest half slice is not more than 1.75 times the weight of the smallest half slice (except for an occasional broken piece due to splitting or an occasional whole slice not quite completely cut through).

(f) (B) *classification.* Sliced, half sliced, tidbits, chunks, cubes, or spears of canned pineapple that are reasonably uniform in size and shape may be given a score of 16 or 17 points. Half sliced canned pineapple that scores 16 or 17 points shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a partial limiting rule); other styles of canned pineapple that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably uniform in size and shape" has the following meanings with respect to the following styles of canned pineapple:

(1) *Sliced.* (i) The diameter of the slice with the longest diameter does not exceed the diameter of the slice with the shortest diameter by more than  $\frac{1}{8}$  inch.

(ii) The thickness of the slice with the widest thickness at the circumference does not exceed the thickness of the slice with the most narrow thickness at the circumference by more than  $\frac{1}{8}$  inch.

(iii) The maximum radial axis of any slice does not exceed the minimum radial axis of the same slice by more than  $\frac{1}{4}$  inch.

(iv) The drained weight of the largest slice is not more than 1.4 times the weight of the smallest slice.

(2) *Small tidbits.* (i) Not more than 12½ percent of the drained weight may consist of units which may fail to conform to any one or more of the following dimensions:

Length of outside arc.....	More than $\frac{3}{8}$ inch but not more than $\frac{3}{4}$ inch.
Thickness.....	More than $\frac{5}{16}$ inch but not more than $\frac{1}{2}$ inch.
Length.....	More than $1\frac{1}{16}$ inch but not more than $1\frac{1}{4}$ inches.

(ii) Not more than 15 percent of the drained weight may consist of units each of which weighs less than three-fourths as much as the average weight of all the untrimmed tidbits.

(3) *Large tidbits.* (i) Not more than 12½ percent of the drained weight may consist of units which may fail to con-

form to any one or more of the following dimensions:

Length of outside arc.....	More than $\frac{3}{4}$ inch but not more than $1\frac{3}{4}$ inches.
Thickness.....	More than $\frac{5}{16}$ inch but not more than $\frac{1}{2}$ inch.
Length (measured along the radius).....	More than $1\frac{1}{16}$ inch but not more than $1\frac{1}{4}$ inches.

(ii) Not more than 15 percent of the drained weight may consist of units each of which weighs less than three-fourths as much as the average weight of all the untrimmed tidbits.

(4) *Chunks.* (i) None of the units may have a longest dimension (along any edge) greater than  $1\frac{1}{2}$  inches.

(ii) Not more than 15 percent of the drained weight consists of pieces weighing less than  $\frac{3}{16}$  ounce each.

(5) *Symmetrical chunks.* (i) None of the units may have a longest dimension (along any edge) greater than  $1\frac{1}{2}$  inches.

(ii) Not less than 80 percent of the drained weight may consist of units which exceed at least one of the following dimensions:

Length of outside arc.....	$\frac{5}{16}$ inch.
Thickness.....	$\frac{1}{2}$ inch.
Length.....	$1\frac{1}{16}$ inch.

(iii) Not more than 15 percent of the drained weight consists of pieces weighing less than  $\frac{3}{16}$  ounce each.

(6) *Cubes.* (i) Not more than 10 percent of the drained weight may consist of units of such size that they pass through the meshes of a sieve with  $\frac{5}{16}$ -inch square openings.

(ii) Not more than 15 percent of the drained weight may consist of pieces weighing more than  $\frac{3}{32}$ -ounce each.

(7) *Spears.* (i) The units are of reasonably uniform length.

(ii) Not more than 20 percent, by count, of the units or not more than one unit in a container of less than 5 units, may be less than  $\frac{3}{4}$  inch or more than  $1\frac{3}{4}$  inches in the longest edge dimension other than the longitudinal measurement of the spear.

(iii) The drained weight of the largest spear is not more than 1.4 times the weight of the smallest spear.

(8) *Half sliced.* (i) The diameter of the half slice with the longest diameter does not exceed the diameter of the half slice with the shortest diameter by more than  $\frac{1}{8}$  inch.

(ii) The thickness of the half slice with the widest thickness at the circumference does not exceed the thickness of the half slice with the most narrow thickness at the circumference by more than  $\frac{1}{8}$  inch.

(iii) The drained weight of the largest half slice is not more than 1.75 times the weight of the smallest half slice (except for an occasional broken piece due to splitting or an occasional whole slice not quite completely cut through).

(g) (C) *classification.* Half sliced canned pineapple that is fairly uniform in size and shape and broken sliced canned pineapple that is not uniform in size and shape may be given a score of 14 or 15 points. Half sliced and broken sliced canned pineapple that scores in

this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule).

(1) "Fairly uniform in size and shape" for half sliced canned pineapple means that the units fail to meet the requirements of paragraph (e) (8) (i) and (ii) of this section or of paragraph (f) (8) (i) and (ii) of this section, but the drained weight of the largest half slice is not more than 1.75 times the weight of the smallest half slice (except for an occasional broken piece due to splitting or an occasional whole slice not quite completely cut through).

(2) "Not uniform in size and shape" for broken sliced canned pineapple means that:

(i) Not more than 10 percent of the drained weight may consist of pieces having an arc of less than 90°;

(ii) Not more than 5 percent of the drained weight may consist of: (a) Pieces that measure in thickness less than  $\frac{5}{16}$  inch or more than 1 inch; or (b) pieces that measure less than  $\frac{3}{4}$  inch in width as measured from the outer edge to the inner edge; and

(iii) Not more than 5 percent of the drained weight may consist of broken slices having an outside diameter differing by as much as  $\frac{3}{8}$  inch from that of those present in greatest proportion by weight.

(h) (SStd) *classification.* Canned pineapple of the applicable styles which fail to meet in some respects paragraph (e), (f), or (g) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule); and, for the applicable styles, may also be "Below Standard in Quality—Good Food—Not High Grade" or "Below Standard in Quality" for the following reasons:

(1) *Slices.* "Mixed sizes" for failure to comply with paragraph (e) (1) (iv) or (f) (1) (iv) of this section.

(2) *Tidbits.* "Mixed sizes" for failure to comply with paragraph (f) (2) (ii) or (3) (ii) of this section.

(3) *Chunks.* "Irregular small pieces" for failure to comply with paragraph (f) (4) (ii) of this section.

(4) *Cubes.* "Irregular small pieces" for failure to comply with paragraph (f) (6) (i) of this section; or "mixed sizes" for failure to comply with paragraph (f) (6) (ii) of this section.

(5) *Spears.* "Mixed sizes" for failure to comply with paragraph (e) (7) (iii) or (f) (7) (iii) of this section.

(6) *Half sliced.* "Mixed sizes" for failure to comply with paragraph (e) (8) (iii) or (f) (8) (iii) of this section.

(7) *Broken sliced.* "Small broken pieces" or "thick broken pieces," as the case may be, for failure to comply with paragraph (g) (2) (i) or (ii) of this section; or "mixed sizes" for failure to comply with paragraph (g) (2) (iii) of this section.

§ 52.1724 *Absence of defects—(a) General.* The factor of absence of defects refers, for the applicable style, to the degree of freedom from trimmed units, blemished units, mashed units; and from any other defects including

specks, in crushed style, that cannot be weighed which detract from the appearance or edibility of the product.

(b) *Definitions of defects*—(1) *Insignificantly trimmed*. "Insignificantly trimmed" means any trimming that is noticeable but of lesser degree than slightly trimmed.

(2) *Slightly trimmed*. In slices or half slices, "slightly trimmed" means that the portion trimmed away approximates 3 percent to not more than 5 percent of the apparent physical bulk of the perfectly formed unit and if such trimming materially affects the normal circular shape of the outer or inner edge of the unit.

(3) *Excessively trimmed*. (i) In slices or half slices, "excessively trimmed" means that the portion trimmed away exceeds 5 percent of the apparent physical bulk of the perfectly formed unit and if such trimming destroys the normal circular shape of the outer or inner edge of the unit.

(ii) In broken slices, spears, or tidbits, "excessively trimmed" means that the normal shape of the unit is destroyed by trimming.

(4) *Blemishes*—(i) "Blemishes" (or "blemished"). "Blemishes" (or "blemished") include:

(a) Any of the following, if in excess of  $\frac{1}{16}$  inch in the longest dimension on the exposed surface of the unit: Eyes, pieces of shell, brown spots.

(b) Deep fruit eyes.

(c) Bruised portions.

(d) Other abnormalities that it is possible to detect in good commercial practice before sealing in the containers.

(ii) *Serious blemishes*. "Serious blemishes" (or "seriously blemished") means that the blemish seriously affects the appearance or edibility of the unit.

(iii) *Blemishes in crushed pineapple*. In crushed pineapple, each fragment of crushed pineapple bearing a blemish is segregated and the aggregate weight of such fragments is used to ascertain compliance with the allowances.

(5) *Mashed*. A "mashed" unit in the styles of sliced, half sliced, broken sliced, spears, chunks, and tidbits means a unit that has lost its normal shape as evidenced by marks of mechanical injury.

A unit that has lost its normal shape because of ripeness and which bears no mark of mechanical injury shall not be considered as mashed.

(c) (A) *classification*. Sliced, half sliced, broken sliced, tidbits, chunks, cubes, spears, or crushed canned pineapple that is practically free from defects may be given a score of 18 to 20 points. Half sliced or broken sliced canned pineapple that scores 18 to 20 points shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a partial limiting rule). "Practically free from defects" means that the canned pineapple is practically free from any defects not specifically mentioned including specks, in crushed style, that cannot be weighed that affect the appearance or edibility of the product; and, in addition, has the following meanings with respect to the following styles of canned pineapple:

(1) *Sliced*. (i) Not more than occasional unit may be insignificantly or slightly trimmed, but none may be excessively trimmed;

(ii) Not more than a total of 5 percent, by count, of the units may be blemished or seriously blemished; or one unit in a container is permitted to be blemished or seriously blemished if such unit exceeds the allowance of 5 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 5 percent of the total number of units; and

(iii) Not more than one unit in containers of 25 units or less, and not more than 3 units in containers of more than 25 units, may be mashed.

(2) *Tidbits*. (i) Not more than 5 percent of the drained weight may consist of units that are excessively trimmed;

(ii) Not more than a total of 5 percent, by count, of the units may be blemished or seriously blemished; but not more than  $2\frac{1}{2}$  percent, by count, may be seriously blemished; and

(iii) Not more than 3 of the units in containers of less than 150 units, or not more than 2 percent of the units in containers of 150 or more, may be mashed.

(3) *Chunks*. (i) Not more than a total of 5 percent, by count, of the units may be blemished or seriously blemished; but not more than  $2\frac{1}{2}$  percent, by count, may be seriously blemished; and

(ii) Not more than 3 of the units in container of less than 70 units, or not more than 5 percent of the units in containers of 70 units or more, may be mashed.

(4) *Cubes*. (i) Not more than a total of 2 percent of the drained weight may be blemished or seriously blemished; but not more than 1 percent of the drained weight may be seriously blemished.

(5) *Spears*. (i) Not more than an occasional unit may be insignificantly or slightly trimmed, but none may be excessively trimmed;

(ii) Not more than a total of 5 percent, by count, of the units may be blemished or seriously blemished; or one unit in a container is permitted to be blemished or seriously blemished if such unit exceeds the allowance of 5 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 5 percent of the total number of units; and

(iii) Not more than one unit per container may be mashed.

(6) *Crushed*. (i) Not more than  $\frac{1}{2}$  percent of the drained weight may consist of fragments bearing blemishes, including seriously blemished fragments.

(7) *Half sliced*. (i) Not more than an occasional unit may be insignificantly or slightly trimmed, but none may be excessively trimmed;

(ii) Not more than a total of 5 percent, by count, of the units may be blemished or seriously blemished; or one unit in a container is permitted to be blemished or seriously blemished if such unit exceeds the allowance of 5 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 5 percent of the total number of units; and

(iii) Not more than one unit in containers of 25 units or less, and not more

than 3 units in containers of more than 25 units, may be mashed.

(8) *Broken sliced*. (i) Not more than 5 percent, by count, of the units may be excessively trimmed;

(ii) Not more than a total of 5 percent, by count, of the units may be blemished or seriously blemished; and

(iii) Not more than 5 percent, by count, of the units may be mashed.

(d) (B) *classification*. Sliced, half sliced, broken sliced, tidbits, chunks, cubes, spears, or crushed canned pineapple that is reasonably free from defects may be given a score of 16 or 17 points. Half sliced or broken sliced canned pineapple that scores 16 or 17 points shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a partial limiting rule); and other styles of canned pineapple that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the canned pineapple is reasonably free from any defects not specifically mentioned including specks, in crushed style, that cannot be weighed that affect the appearance or edibility of the product; and, in addition, has the following meanings with respect to the following styles of canned pineapple:

(1) *Sliced*. (i) Not more than a total of 20 percent, by count, of the units may be slightly or excessively trimmed: *Provided*, That not more than  $7\frac{1}{2}$  percent, by count, of the units may be excessively trimmed, but in any container having not more than 10 units, one unit may be excessively trimmed; and in any container having more than 10 units but not more than 27 units, two units may be excessively trimmed;

(ii) Not more than  $12\frac{1}{2}$  percent, by count, of the units may be blemished, but in any container having not more than 5 units, one unit may be blemished; in containers having more than 5 units but not more than 10 units, two units may be blemished; and in containers having more than 10 units but not more than 32 units, four units may be blemished; and

(iii) Not more than one unit in containers of 25 units or less, and not more than 3 units in containers of more than 25 units, may be mashed.

(2) *Tidbits*. (i) Not more than 15 percent of the drained weight may consist of units that are excessively trimmed;

(ii) Not more than a total of  $12\frac{1}{2}$  percent, by count, of the units may be blemished or seriously blemished; but not more than  $6\frac{1}{4}$  percent, by count, may be seriously blemished; and

(iii) Not more than 3 of the units in containers of less than 150 units, or not more than 2 percent of the units in containers of 150 units or more, may be mashed.

(3) *Chunks*. (i) Not more than a total of  $12\frac{1}{2}$  percent, by count, of the units may be blemished or seriously blemished, but not more than  $6\frac{1}{4}$  percent, by count, may be seriously blemished; and

(ii) Not more than 3 of the units in containers of less than 70 units, or not

more than 5 percent of the units in containers of 70 units or more, may be mashed.

(4) *Cubes*. (i) Not more than a total of 12½ percent, by count, of the units may be blemished or seriously blemished, but not more than 6¼ percent, by count, may be seriously blemished.

(5) *Spears*. (i) Not more than a total of 20 percent, by count, of the units may be insignificantly, slightly, or excessively trimmed; but not more than 15 percent, by count, of the units may be excessively trimmed.

(ii) Not more than 12½ percent, by count, of the units may be blemished, but in any container having not more than 5 units, one unit may be blemished; in containers having more than 5 units but not more than 10 units, two units may be blemished; and in containers having more than 10 units but not more than 32 units, four units may be blemished; and

(iii) Not more than one unit per container may be mashed.

(6) *Crushed*. (i) Not more than 1¼ percent of the drained weight may consist of fragments bearing blemishes, including seriously blemished fragments.

(7) *Half sliced*. (i) Not more than a total of 20 percent, by count, of the units may be slightly or excessively trimmed: *Provided*, That not more than 7½ percent, by count, of the units may be excessively trimmed, but in any container having not more than 10 units, one unit may be excessively trimmed; and in any container having more than 10 units but not more than 27 units, two units may be excessively trimmed;

(ii) Not more than a total of 8 percent, by count, of the units may be blemished or seriously blemished; or one unit in a container is permitted to be blemished or seriously blemished if such unit exceeds the allowance of 8 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 8 percent of the total number of units; and

(iii) Not more than one unit in containers of 25 units or less, and not more than 3 units in containers of more than 25 units, may be mashed.

(8) *Broken sliced*. (i) Not more than 10 percent, by count, of the units may be excessively trimmed;

(ii) Not more than 8 percent, by count, of the units may be blemished or seriously blemished; and

(iii) Not more than 5 percent, by count, of the units may be mashed.

(e) (C) *classification*. Half sliced or broken sliced canned pineapple that is fairly free from defects may be given a score of 14 or 15 points. Half sliced or broken sliced canned pineapple that scores in this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that half sliced or broken sliced canned pineapple is fairly free from any defects not specifically mentioned that affect the appearance or edibility of the product; and, in addition, has the following meanings with respect to, and applies only to, the following styles:

(1) *Half sliced*. (i) Not more than 7½ percent, by count, of the units may be excessively trimmed, but in any container having not more than 10 units, one unit may be excessively trimmed; and in any container having more than 10 units but not more than 27 units, two units may be excessively trimmed;

(ii) Not more than 12½ percent, by count, of the units may be blemished but in any container having not more than 5 units, one unit may be blemished; in containers having more than 5 units but not more than 10 units, two units may be blemished; and in containers having more than 10 units but not more than 32 units, four units may be blemished; and

(iii) Not more than one unit in containers of 25 units or less, and not more than 3 units in containers of more than 25 units, may be mashed.

(2) *Broken sliced*. (i) Not more than 15 percent, by count, of the units may be excessively trimmed;

(ii) Not more than 12½ percent, by count, of the units may be blemished but in any container having more than 10 units but not more than 32 units, four units may be blemished; and

(iii) Not more than 5 percent, by count, of the units may be mashed.

(f) (SStd) *classification*. Canned pineapple of the applicable styles which fail to meet in some respects paragraph (c), (d), or (e) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule); and, for the applicable styles, may also be "Below Standard in Quality—Good Food—Not High Grade" or "Below Standard in Quality" for the following reasons:

(1) *Sliced*. (i) "Excessively trimmed" for failure to comply in part with paragraph (d) (1) (i) of this section;

(ii) "Blemished" or "contains blemished pieces" for failure to comply with paragraph (d) (1) (ii) of this section; or

(iii) "Mashed units" or "contains mashed units" for failure to comply with paragraph (c) (1) (iii) or (d) (1) (iii) of this section.

(2) *Tidbits*. (i) "Excessively trimmed" for failure to comply with paragraph (d) (2) (i) of this section;

(ii) "Blemished" or "contains blemished pieces" for failure to comply in part with paragraph (d) (2) (ii) of this section; or

(iii) "Mashed units" or "contains mashed units" for failure to comply with paragraph (c) (2) (iii) or (d) (2) (iii) of this section.

(3) *Chunks*. (i) "Blemished" or "contains blemished pieces" for failure to comply in part with paragraph (d) (3) (i) of this section; or

(ii) "Mashed units" or "contains mashed units" for failure to comply with paragraph (c) (3) (ii) or (d) (3) (ii) of this section.

(4) *Cubes*. (i) "Blemished" or "contains blemished pieces" for failure to comply in part with paragraph (d) (4) (i) of this section.

(5) *Spears*. (i) "Excessively trimmed" for failure to comply in part with paragraph (d) (5) (i) of this section;

(ii) "Blemished" or "contains blemished pieces" for failure to comply with paragraph (d) (5) (ii) of this section; or

(iii) "Mashed units" or "contains mashed units" for failure to comply with paragraph (c) (5) (iii) or (d) (5) (iii) of this section.

(6) *Crushed*. (i) "Blemished" or "contains blemished pieces" for failure to comply with paragraph (d) (6) (i) of this section.

(7) *Half sliced*. (i) "Excessively trimmed" for failure to comply in part with paragraph (d) (7) (i) or with (e) (1) (i) of this section;

(ii) "Blemished" or "contains blemished pieces" for failure to comply with paragraph (e) (1) (ii) of this section; or

(iii) "Mashed units" or "contains mashed units" for failure to comply with paragraph (c) (7) (iii) or (d) (7) (iii) or (e) (1) (iii) of this section.

(8) *Broken sliced*. (i) "Excessively trimmed" for failure to comply with paragraph (e) (2) (i) of this section;

(ii) "Blemished" or "contains blemished pieces" for failure to comply with paragraph (e) (2) (ii) of this section; or

(iii) "Mashed units" or "contains mashed units" for failure to comply with paragraph (c) (8) (iii) or (d) (8) (iii) or (e) (2) (iii) of this section.

§ 52.1725 *Character*—(a) *General*. The factor of character refers to the degree of ripeness and maturity, the texture of the fruit, and the degree of freedom from core material.

(b) *Ascertaining proportion of core*. "Core" means core material which may be definitely identified as hard and characteristic of the center structure of pineapple. In ascertaining the proportion of core, identify and separate any core material cleanly from each of the units in the container, weigh the aggregate of such core material, and calculate the weight of the core material in relation to the drained fruit.

(c) (A) *classification*. Sliced, half sliced, broken sliced, tidbits, chunks, cubes, spears, or crushed canned pineapple that possesses a good character may be given a score of 27 to 30 points. Half sliced or broken sliced canned pineapple that scores 27 to 30 points shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a partial limiting rule). "Good character" has the following meanings with respect to the following styles of canned pineapple:

(1) *Sliced; half sliced; broken sliced*. The units are of practically uniform ripeness, are at least reasonably firm with the fruitlets appearing as a compact structure, are reasonably free from porosity; and not more than 0.4 ounce of core is contained in 1 pound of drained fruit.

(2) *Tidbits; cubes; spears; crushed*. The units are of practically uniform ripeness, the fruitlets appear as a compact structure, the units are reasonably free from porosity; and not more than 0.4 ounce of core is contained in 1 pound of drained fruit.

(3) *Chunks*. The units are of practically uniform ripeness, the fruitlets appear as a compact structure, the units



are reasonably free from porosity, and the units are practically free from any core material.

(d) (B) classification. Sliced, half sliced, broken sliced, tidbits, chunks, cubes, spears, or crushed canned pineapple that possesses a reasonably good character may be given a score of 24 to 26 points. Half sliced or broken sliced canned pineapple that scores 24 to 26 points shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a partial limiting rule); and other styles of canned pineapple that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" has the following meanings with respect to the following styles of canned pineapple:

(1) *Sliced; half sliced; broken sliced.* The units are of reasonably uniform ripeness, the fruitlets are reasonably compact in structure, the slices are fairly free from porosity; and not more than 1.1 ounces of core is contained in 1 pound of drained fruit.

(2) *Tidbits; cubes; spears; crushed.* The units are of reasonably uniform ripeness, the fruitlets are reasonably compact in structure, the units are fairly free from porosity; and not more than 1.1 ounces of core is contained in 1 pound of drained fruit.

(3) *Chunks.* The units are of reasonably uniform ripeness, the fruitlets are reasonably compact in structure, the units are fairly free from porosity; and not more than 1.1 ounces of core is contained in 1 pound of drained fruit.

(e) (C) classification. Half sliced or broken sliced canned pineapple that possesses a fairly good character may be given a score of 21 to 23 points. Half sliced or broken sliced canned pineapple that scores in this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" has the following meaning with respect to, and applies only to, the following styles:

(1) *Half sliced; broken sliced.* The units are of fairly uniform ripeness, the fruitlets are fairly compact in structure, the units are fairly free from porosity; and not more than 1.1 ounces of core is contained in 1 pound of drained fruit.

(f) (SStd) classification. Canned pineapple that fails to meet the applicable requirements of paragraph (d) or (e) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule). Any style of canned pineapple in which more than 1.1 ounces of core is contained in 1 pound of drained fruit is also "Below Standard in Quality—Good Food—Not High Grade" or "Below Standard in Quality—Poorly cored" or "Below Standard in Quality—Excessive core."

LOT CERTIFICATION TOLERANCES

§ 52.1726 Tolerances for certification of officially drawn samples. (a) When

certifying samples that have been officially drawn and which represent a specific lot of canned pineapple the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if (1) such containers meet all of the applicable grade requirements of the factors of quality that are not rated by score points; (2) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification; and (3) with respect to those factors which are rated by score points:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

SCORE SHEET

§ 52.1727 Score sheet for canned pineapple.

Size and kind of container.....	.....
Container mark or identification.....	.....
Label.....	.....
Net weight (ounces).....	.....
Vacuum (inches).....	.....
Drained weight (ounces).....	.....
( ) Heavy pack. ( ) Solid pack.....	.....
Acidity (gm/100 ml.).....	.....
Brix measurement.....	.....
Sirup designation (Extra heavy, heavy, etc.).....	.....
Style.....	.....
Count ( ) Slices. ( ) Half slices. ( ) Spears.....	.....

Factors	Score points
Color.....	30 (A) 27-30 (B) 24-26 (C) 21-23 (SStd) 10-20
Uniformity of size and shape.....	20 (A) 18-20 (B) 16-17 (C) 14-15 (SStd) 10-13
Absence of defects.....	20 (A) 18-20 (B) 16-17 (C) 14-15 (SStd) 10-13
Character.....	30 (A) 27-30 (B) 24-26 (C) 21-23 (SStd) 10-20
Total score.....	100

Proper acidity ( ) Yes. ( ) No.....  
 Flavor and odor ( ) Good. ( ) Fairly good. ( ) Off.....  
 Grade.....

<sup>1</sup> Limiting rule.  
<sup>2</sup> Partial limiting rule.  
<sup>3</sup> Half slices, broken slices only.

The United States Standards for Grades of Canned Pineapple (which is the fourth issue) contained in this subpart shall become effective 30 days after the date of publication hereof in the FEDERAL REGISTER and thereupon will supersede the United States Standards for Grades of Canned Pineapple (7 CFR 52.1711—52.1725) which have been in effect since January 27, 1950.

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

Dated: February 8, 1957.

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

[F. R. Doc. 57-1089; Filed, Feb. 12, 1957; 8:48 a. m.]

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

SUBPART—UNITED STATES STANDARDS FOR GRADES OF CANNED PINEAPPLE JUICE<sup>1</sup>

On October 19, 1956, a notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 8066) regarding a proposed revision of the United States Standards for Grades of Canned Pineapple Juice (7 CFR 52.1761—52.1771). The provisions of the following standards are the same as those published in the notice.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Canned Pineapple Juice are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U. S. C. 1621 et seq.).

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec. 52.1761	Product description.
52.1762	Styles of canned pineapple juice.
52.1763	Grades of canned pineapple juice.

FILL OF CONTAINER

52.1764	Fill of container.
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FACTORS OF QUALITY

52.1765	Ascertaining the grade.
52.1766	Ascertaining the rating for the factors which are scored.
52.1767	Color.
52.1768	Absence of defects.
52.1769	Flavor.

EXPLANATIONS AND METHODS OF ANALYSES

52.1770	Explanation of terms and analyses.
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LOT CERTIFICATION TOLERANCES

52.1771	Tolerances for certification of officially drawn samples.
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SCORE SHEET

52.1772	Score sheet for canned pineapple juice.
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AUTHORITY: §§ 52.1761 to 52.1772 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.1761 *Product description.* "Canned pineapple juice" means such product as defined in the standard of identity for canned pineapple juice (21 CFR 27.54), issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.1762 *Styles of canned pineapple juice.* (a) Style I, Unsweetened.

(b) Style II, Sugar added.

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

§ 52.1763 *Grades of canned pineapple juice.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of canned pineapple juice that possesses a very good color, is practically free from defects, possesses a very good flavor, and scores not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U. S. Grade C" or "U. S. Standard" is the quality of canned pineapple juice that possesses a good color, is fairly free from defects, possesses a good flavor, and scores not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of canned pineapple juice that fails to meet the requirements of U. S. Grade C or U. S. Standard; and is the quality of canned pineapple juice that may or may not meet the minimum standard of quality for canned pineapple juice issued pursuant to the Federal Food, Drug, and Cosmetic Act.

#### FILL OF CONTAINER

§ 52.1764 *Fill of container.* The standard of fill of container for canned pineapple juice is a fill of not less than 90 percent of the total capacity of the container. Canned pineapple juice that does not meet this requirement is "Below Standard in Fill."

#### FACTORS OF QUALITY

§ 52.1765 *Ascertaining the grade—*

(a) *General.* In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors rated by score points in canned pineapple juice.* The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
(i) Color.....	20
(ii) Absence of defects.....	40
(iii) Flavor.....	40
Total score.....	100

§ 52.1766 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

§ 52.1767 *Color—*(a) (A) *classification.* Canned pineapple juice that possesses a very good color may be given a score of 17 to 20 points. "Very good color" means that the canned pineapple juice possesses a bright, typical color characteristic of canned pineapple juice made from freshly pressed pineapple juice from properly matured and properly ripened pineapple, and which pineapple juice has been properly processed.

(b) (C) *classification.* If the canned pineapple juice possesses a good color, a score of 14 to 16 points may be given. Canned pineapple juice that falls into

this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Good color" means that the canned pineapple juice possesses a characteristic color which may be slightly dull or may be light amber but is not off color.

(c) (SStd) *classification.* Canned pineapple juice that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1768 *Absence of defects—*(a) *General.* The factor of absence of defects refers to the degree of freedom from specks and other objectionable particles and to the quantity of finely divided "insoluble solids" that may be present.

(b) (A) *classification.* Canned pineapple juice that is practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that the canned pineapple juice does not contain specks or other objectionable particles that affect the appearance or palatability of the juice and that the canned pineapple juice may contain not less than 5 percent nor more than 26 percent finely divided "insoluble solids" when determined in accordance with the method outlined in this subpart.

(c) (C) *classification.* If the canned pineapple juice is fairly free from defects, a score of 28 to 33 points may be given. Canned pineapple juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the canned pineapple juice may contain specks or other objectionable particles that do not materially affect the appearance or palatability of the juice and that the canned pineapple juice may contain not less than 5 percent nor more than 30 percent finely divided "insoluble solids" when determined in accordance with the method outlined in this subpart.

(d) (SStd) *classification.* Canned pineapple juice that fails to meet the requirements of paragraph (c) of this section may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule). Canned pineapple juice that contains less than 5 percent or more than 30 percent finely divided "insoluble solids," when determined in accordance with the method outlined in this subpart, is also "Below Standard in Quality—Good Food—Not High Grade."

§ 52.1769 *Flavor—*(a) (A) *classification.* Canned pineapple juice that possesses a very good flavor may be given a score of 34 to 40 points. "Very good flavor" means a fine, distinct canned pineapple juice flavor, characteristic of canned pineapple juice made from properly matured and properly ripened pineapple, and which pineapple juice is free

from any caramelized flavor and that the canned pineapple juice meets the following requirements:

(1) *Brix.* Not less than 12.0 degrees.

(2) *Acid.* Not more than 1.10 grams of acid per 100 milliliters of the juice.

(3) *Brix-acid ratio.* Not less than 12 to 1.

(b) (C) *classification.* If the canned pineapple juice possesses a good flavor, a score of 28 to 33 points may be given. Canned pineapple juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Good flavor" means a good, normal canned pineapple juice flavor that may be slightly caramelized but is free from objectionable flavor or off flavor of any kind and that the canned pineapple juice meets the following requirements:

(1) *Brix.* Not less than 10.5 degrees.

(2) *Acid.* Not more than 1.35 grams of acid per 100 milliliters of the juice.

(3) *Brix-acid ratio.* Not less than 12 to 1.

(c) (SStd) *classification.* If the canned pineapple juice fails to meet the requirements of paragraph (b) of this section, if the canned pineapple juice has the flavor of fruit not properly matured or not properly ripened, or if the canned pineapple juice is definitely unpalatable, a score of 0 to 27 points may be given. Canned pineapple juice that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule). Canned pineapple juice that fails to meet any one of the requirements of paragraph (b) of this section with respect to Brix or Acid or Brix-acid ratio is also "Below Standard in Quality—Good Food—Not High Grade."

#### EXPLANATIONS AND METHODS OF ANALYSES

§ 52.1770 *Explanation of terms and analyses—*(a) *Brix.* "Brix" in canned pineapple juice means the soluble solids content as determined by the method prescribed in the "Official Methods of Analysis of the Association of Official Agricultural Chemists," "Solids—By Means of Spindle—Official."

(b) *Acid.* "Acid" in canned pineapple juice means the grams of acid, calculated as anhydrous citric acid, contained in 100 milliliters of the juice. Total acidity of the juice is determined by the following method:

(1) Measure with a pipette 10 milliliters of the unfiltered drained liquid into a 250-milliliter Erlenmeyer flask.

(2) Add 25 milliliters of freshly boiled, distilled water and 0.3 milliliter of 1-percent phenolphthalein solution.

(3) Titrate with one-tenth normal sodium hydroxide solution to a faint, permanently pink coloration.

(4) Multiply the number of milliliters of one-tenth normal sodium hydroxide required by 0.064 to calculate the number of grams of anhydrous citric acid per 100 milliliters of drained liquid.

(c) *Finely divided "insoluble solids."* The quantity of "finely divided 'insoluble solids'" is determined as follows:

(i) Measure 50 milliliters of thoroughly stirred pineapple juice into a cone-shaped graduated tube of the long-cone type, measuring approximately 4<sup>3</sup>/<sub>16</sub> inches from tip to top calibration and having a capacity of 50 milliliters.

(ii) Place the tube in a suitable centrifuge, the approximate speed of which is related to diameter of swing in accordance with Table I of this subpart. The word "diameter" means the over-all distance between the tips of opposing centrifuge tubes in operating position.

(iii) The milliliter reading at the top of the layer of "insoluble solids," after centrifuging 3 minutes, is multiplied by two to obtain the percentage of "insoluble solids."

Diameter:	TABLE I	Approximate revolutions per minute
10 inches.....		1,609
10½ inches.....		1,570
11 inches.....		1,534
11½ inches.....		1,500
12 inches.....		1,468
12½ inches.....		1,438
13 inches.....		1,410
13½ inches.....		1,384
14 inches.....		1,359
14½ inches.....		1,336
15 inches.....		1,313
15½ inches.....		1,292
16 inches.....		1,271
16½ inches.....		1,252
17 inches.....		1,234
17½ inches.....		1,216
18 inches.....		1,199
18½ inches.....		1,182
19 inches.....		1,167
19½ inches.....		1,152
20 inches.....		1,137

LOT CERTIFICATION TOLERANCES

§ 52.1771 Tolerances for certification of officially drawn samples. (a) When certifying samples that have been officially drawn and which represent a specific lot of canned pineapple juice the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, (1) such containers meet all of the applicable grade requirements of the factors of quality that are not rated by score points; (2) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification; and (3) with respect to those factors which are rated by score points:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

SCORE SHEET

§ 52.1772 Score sheet for canned pineapple juice.

Size and kind of container.....		
Container mark or identification.....		
Label.....		
Liquid measure (Fl. ounces).....		
Vacuum (inches).....		
Brix measurement (° Brix).....		
Acid (anhydrous citric; grams/100 ml.).....		
Brix-acid ratio.....		
Insoluble solids (%).....		
Factors		Score points
Color.....	20	(A) 17-20 (C) 14-16 (SStd) 1 0-13 (A) 34-40 (C) 28-33 (SStd) 1 0-27
Absence of defects.....	40	(A) 34-40 (C) 28-33 (SStd) 1 0-27
Flavor.....	40	(A) 34-40 (C) 28-33 (SStd) 1 0-27
Total score.....		100
Grade.....		

<sup>1</sup> Indicates limiting rule.

The United States Standards for Grades of Canned Pineapple juice (which is the third issue) contained in this subpart shall become effective 30 days after the date of publication hereof in the FEDERAL REGISTER and thereupon will supersede the United States Standards for Grades of Canned Pineapple Juice (7 CFR 52.1761-52.1771) which have been in effect since February 17, 1950.

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

Dated: February 8, 1957.

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

[F. R. Doc. 57-1088; Filed, Feb. 12, 1957;  
8:48 a. m.]

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

[945.303 Amdt. 1]

PART 945—TOMATOES GROWN IN FLORIDA  
LIMITATION OF SHIPMENTS

Findings. (a) Pursuant to Marketing Agreement No. 125 and Order No. 45 (7 CFR Part 945) regulating the handling of tomatoes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Florida Tomato Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary

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

Order, as amended. The provisions of § 945.303 (b) (2) (22 F. R. 757) are hereby amended by deleting all of such subparagraph. Subparagraphs (3), (4), (5), (6), (7), (8), (9) and (10) of § 945.303 (b) are hereby renumbered, respectively, (2), (3), (4), (5), (6), (7), (8), and (9).

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

Dated: February 7, 1957, to become effective February 7, 1957.

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

[F. R. Doc. 57-1090; Filed, Feb. 12, 1957;  
8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 40-2]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

TRAINING PROGRAMS AND PROFICIENCY CHECKS; USE OF AIRCRAFT SIMULATORS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of February 1957.

Part 40 of the Civil Air Regulations currently requires certain pilot proficiency checks to be accomplished twice a year by each pilot serving as pilot in command in air carrier service. The objective of these checks is to insure that the pilot maintains a high standard of proficiency in the piloting and navigation of the airplane types to be flown by him. The proficiency checks must be given by an authorized representative of the Administrator of Civil Aeronautics or a check pilot of the carrier concerned. In addition to the normal airplane maneuvers, these checks include certain

critical maneuvers which are encountered from time to time in air carrier service such as take-offs and landings with inoperative engines, missed approaches, instrument letdowns, and various emergency procedures.

The Administrator, with the approval of the Board, has for several years approved many maneuvers required in the proficiency checks to be accomplished in synthetic trainers which accurately simulate the flight characteristics and the performance of the aircraft, to which a pilot is assigned, through all ranges of normal and emergency operations. This approval has been based in part upon an air carrier's use of the synthetic trainer in its pilot training program, and the pilot's satisfactory demonstration in actual flight of ability to perform at least 4 basic maneuvers, as follows: Flight at minimum speeds, approach to lowest approved minimums, landing under circling approach conditions, and simulated engine failure(s) during take-off.

The Board foresees, however, that the increasing complexity of aircraft, with concomitant need for devices to simulate the flight characteristics of large modern transport aircraft, will be further accentuated as turbo-prop and turbo-jet aircraft are procured. As a result, more intensive training of pilots and crews will be necessary to insure that they are proficient in the operation of these larger and faster aircraft with their corresponding new operating problems, and this training can be accomplished only at considerably increased costs. In anticipation of this problem, certain carriers are preparing to acquire simulators before the aircraft are put into service. This action is predicated on the assumption that essential training can be conducted in part in aircraft simulators more effectively, safely, and economically than in an aircraft, and with considerable saving in time.

The fundamental characteristics of the aircraft simulators in use and under consideration should be made clear in order that interested persons will clearly understand the nature of the device the Board is discussing in this amendment. The Board has in mind that the aircraft simulator shall be a full scale mock-up of the cockpit interior of a particular type aircraft with normal crew stations, plus accommodations for necessary additional persons such as check airmen, instructors, or observers. It shall also include suitable course and altitude recorders. It shall be capable of accurately reproducing the engine and flight performance, control loading, instrument indication, and control movements of the specific model aircraft during the execution of all normal and anticipated emergency maneuvers. Of great importance is the requirement that the device shall be designed to permit presentation of malfunction of aircraft, aircraft engines, propellers, appliances, systems, and other components, and appropriate procedures to cope with such emergencies. Capabilities, as outlined above, will permit intensive training and checking in normal and abnormal flight conditions, various flight procedures, navigational problems, and essential crew coordination.

Accordingly, the Board published on June 13, 1956, (21 F. R. 4294) a notice of proposed rule making as Civil Air Regulations Draft Release No. 56-16 "Training Programs and Proficiency Checks (Use of Aircraft Simulators)" in which certain proposals were made with respect to the use of aircraft simulators. The Board indicated that it was of the opinion that the advantages of the trainers were so apparent that their controlled introduction into air carrier training procedures on a wider basis was in the public interest and should be encouraged. In summary, the Board found that aircraft simulators have been proven as a valuable aid in improving the effectiveness of pilot training for instrument and equipment proficiency. The promise of further improvement in training is, in fact, so great that it appears desirable to reduce the number of in-flight proficiency checks that pilots are required to take. Simulators are particularly suited to instruction in and practice of numerous emergency procedures which cannot satisfactorily be accomplished in flight, and permit special emphasis on the coordination of crew duties; they offer a laboratory for experimentation in techniques and procedures which might be time-consuming or hazardous in flight; they will permit training to be conducted with more safety as a result of the reduction of frequency of aircraft operations under simulated emergency conditions; their use will result in the reduction of traffic congestion and noise in large terminal areas; and they will reduce substantially the total cost of pilot training programs.

The board also indicated that, in determining the most appropriate method to realize the full possibilities of aircraft simulators, it could not lose cognizance of its responsibility to assure the highest degree of safety in air transportation even while taking this opportunity to encourage sound technical and economic development of air carrier operations. It is the Board's opinion, therefore, that the broadened use of aircraft simulators in air carrier training programs should be permitted in accordance with these basic principles:

A. The use of simulators shall be permissive with the air carriers.

B. The air carrier shall be required to show that the aircraft simulator meets prescribed standards and shall establish within its training program an approved course of training in such an aircraft simulator. It is anticipated that the training shall consist of at least several hours covering all items currently contained in the flight proficiency checks.

C. When a pilot in command satisfactorily completes each 12 months an approved course of training in an aircraft simulator which the air carrier shows meets the prescribed standards, each such pilot need accomplish only one proficiency check in flight each 12 months.

D. The Board shall review the experience gained under these regulations to determine the effectiveness of the procedures permitted thereby.

In response to Draft Release No. 56-16, the Board received from interested

persons comment favorable to the Board's basic objective of permitting broadened use of aircraft simulators by air carriers. There was, however, some diversity of opinion with respect to the specific proposals to amend the operating parts. In the Board's proposal the major change from current practice was to substitute an approved simulator course for one of the two proficiency checks required to be accomplished in flight annually. Certain air carrier spokesmen indicated that they considered this an improper mixing of the training and checking functions, and stated that the regulation should simply permit the accomplishment of one of the required checks in a simulator. Furthermore, these persons also considered that it was not necessary for the Administrator to approve a particular portion of an air carrier's training program (i. e., simulator curriculum). On the other hand, pilot spokesmen expressed concern that successful utilization of aircraft simulators would be realized only through very close supervision by the Administrator, with review by the pilots, of procedures and qualifications of instructors and check personnel.

In Draft Release No. 56-16, the Board also asked for separate comment with respect to the desirability of including in the Civil Air Regulations certain specific standards for aircraft simulator equipment (Draft Release No. 56-16, Appendix A) which would be used as a basis for approval by the Administrator.

The Board has carefully studied the various views presented and is of the opinion that, at least in the initial stages of expanded simulator use by air carriers, the Administrator should approve the aircraft simulator training program of each air carrier. This procedure will be consistent with the present policy whereby the Administrator makes rules, compliance with which is mandatory, for the conduct of the proficiency checks required by the Civil Air Regulations. The Board will, however, review the experience gained under this regulation and propose any changes which, in the light of such experience, may be in the public interest.

The Board is also of the opinion, in view of the comment received, and other information, that the detailed description of the systems or conditions being simulated, and the degree of simulation, should not be prescribed in the Civil Air Regulations but should be controlled by the Administrator through the medium of the appropriate Civil Aeronautics Manual. The Board considers, however, that the broad, basic standards which describe the characteristics and function of an acceptable aircraft simulator should be included in the regulations.

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

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 40 of the Civil Air Regulations (14 CFR Part 40, as amended) effective March 15, 1957.

By amending § 40.302 (b) by adding a new subparagraph (3) to read as follows:

- § 40.302 *Pilot checks.* . . . .
- (b) *Proficiency check.* . . . .

(3) Subsequent to the initial pilot proficiency check, a pilot in command need accomplish in flight only one of the proficiency checks required by subparagraph (1) of this paragraph during each 12 months if he satisfactorily completes within such 12 months an approved course of training in an aircraft simulator. The interval between completion of the proficiency check in flight and the simulator training course shall be not less than 4 or more than 8 months. The air carrier shall show that the flight characteristics, performance, instrument reaction, and control loadings of the applicable aircraft are accurately simulated in the aircraft simulator through all ranges of normal and emergency operations in accordance with subdivisions (i) through (vii) of this subparagraph:

- (i) The simulator shall represent a full-scale mock-up of the cockpit interior, including normal flight crew stations and accommodations for the instructor or check airman.
- (ii) The effect of changes on the basic forces and moments shall be introduced for all combinations of drag and thrust normally encountered in flight. The effect of changes in airplane attitude, power, drag, altitude, temperature, gross weight, center of gravity location, and configuration shall be included.
- (iii) In response to control movement by a flight crew member, all instrument indications involved in the simulation of the applicable airplane shall be entirely automatic in character unless otherwise specified. The rate of change of simulator instrument readings and of control forces shall correspond to the rate of change which would occur on the applicable airplane under actual flight conditions, for any given change in the applied load on the controls, in the applied power or in aircraft configuration. Control forces and degree of actuating control travel shall correspond to that which would occur in the airplane under actual flight conditions.
- (iv) Through the medium of instrument indication, it shall be possible to use the simulator for the training and checking of a pilot in the operational use of controls and instruments on the applicable airplane model during the simulated execution of ground operation, take-off, landing, normal flight, unusual attitudes, navigation problems, and instrument approach procedures. In addition, the simulator shall be designed so that malfunction of aircraft engines, propellers, and primary systems may be presented and corrective action taken by the crew to cope with such emergencies.
- (v) Suitable course and altitude recorders shall be included.
- (vi) Communication and navigation aids of the applicable airplane shall be simulated for on-the-ground and in-flight operations.
- (vii) Other aircraft systems and components shall be simulated to the extent found necessary by the Administrator.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 52 Stat. 1007, as amended, 49 U. S. C. 551)

Adopted: February 8, 1957.

Effective: March 15, 1957.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 57-1109; Filed, Feb. 12, 1957; 8:52 a. m.]

[Civil Air Regs., Amdt. 41-9]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

TRAINING PROGRAMS AND PROFICIENCY CHECKS; USE OF AIRCRAFT SIMULATORS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of February 1957.

Part 41 of the Civil Air Regulations currently requires certain pilot proficiency checks to be accomplished twice a year by each pilot serving as pilot in command in air carrier service. The objective of these checks is to insure that the pilot maintains a high standard of proficiency in the piloting and navigation of the airplane types to be flown by him. The proficiency checks must be given by an authorized representative of the Administrator of Civil Aeronautics or a check pilot of the carrier concerned. In addition to the normal airplane maneuvers, these checks include certain critical maneuvers which are encountered from time to time in air carrier service such as take-offs and landings with inoperative engines, missed approaches, instrument letdowns, and various emergency procedures.

The Administrator, with the approval of the Board, has for several years approved many maneuvers required in the proficiency checks to be accomplished in synthetic trainers which accurately simulate the flight characteristics and the performance of the aircraft, to which a pilot is assigned; through all ranges of normal and emergency operations. This approval has been based in part upon an air carrier's use of the synthetic trainer in its pilot training program, and the pilot's satisfactory demonstration in actual flight of ability to perform at least 4 basic maneuvers, as follows: Flight at minimum speeds, approach to lowest approved minimums, landing under circling approach conditions, and simulated engine failure(s) during take-off.

The Board foresees, however, that the increasing complexity of aircraft, with concomitant need for devices to simulate the flight characteristics of large modern transport aircraft, will be further accentuated as turbo-prop and turbo-jet aircraft are procured. As a result, more intensive training of pilots and crews will be necessary to insure that they are proficient in the operation of these larger and faster aircraft with their corresponding new operating problems, and this training can be accomplished only

at considerably increased costs. In anticipation of this problem, certain carriers are preparing to acquire simulators before the aircraft are put into service. This action is predicated on the assumption that essential training can be conducted in part in aircraft simulators more effectively, safely, and economically than in an aircraft, and with considerable saving in time.

The fundamental characteristics of the aircraft simulators in use and under consideration should be made clear in order that interested persons will clearly understand the nature of the device the Board is discussing in this amendment. The Board has in mind that the aircraft simulator shall be a full scale mock-up of the cockpit interior of a particular type aircraft with normal crew stations, plus accommodations for necessary additional persons such as check airmen, instructors, or observers. It shall also include suitable course and altitude recorders. It shall be capable of accurately reproducing the engine and flight performance, control loading, instrument indication, and control movements of the specific model aircraft during the execution of all normal and anticipated emergency maneuvers. Of great importance is the requirement that the device shall be designed to permit presentation of malfunction of aircraft, aircraft engines, propellers, appliances, systems, and other components, and appropriate procedures to cope with such emergencies. Capabilities, as outlined above, will permit intensive training and checking in normal and abnormal flight conditions, various flight procedures, navigational problems, and essential crew coordination.

Accordingly, the Board published on June 13, 1956 (21 F. R. 4294), a notice of proposed rule making as Civil Air Regulations Draft Release No. 56-16 "Training Programs and Proficiency Checks (Use of Aircraft Simulators)" in which certain proposals were made with respect to the use of aircraft simulators. The Board indicated that it was of the opinion that the advantages of the trainers were so apparent that their controlled introduction into air carrier training procedures on a wider basis was in the public interest and should be encouraged. In summary, the Board found that aircraft simulators have been proven as a valuable aid in improving the effectiveness of pilot training for instrument and equipment proficiency. The promise of further improvement in training is, in fact, so great that it appears desirable to reduce the number of in-flight proficiency checks that pilots are required to take. Simulators are particularly suited to instruction in and practice of numerous emergency procedures which cannot satisfactorily be accomplished in flight, and permit special emphasis on the coordination of crew duties; they offer a laboratory for experimentation in techniques and procedures which might be time-consuming or hazardous in flight; they will permit training to be conducted with more safety as a result of the reduction of frequency of aircraft operations under simulated emergency

conditions; their use will result in the reduction of traffic congestion and noise in large terminal areas; and they will reduce substantially the total cost of pilot training programs.

The Board also indicated that, in determining the most appropriate method to realize the full possibilities of aircraft simulators, it could not lose cognizance of its responsibility to assure the highest degree of safety in air transportation even while taking this opportunity to encourage sound technical and economic development of air carrier operations. It is the Board's opinion, therefore, that the broadened use of aircraft simulators in air carrier training programs should be permitted in accordance with these basic principles:

A. The use of simulators shall be permissive with the air carriers.

B. The air carrier shall be required to show that the aircraft simulator meets prescribed standards and shall establish within its training program an approved course of training in such an aircraft simulator. It is anticipated that the training shall consist of at least several hours covering all items currently contained in the flight proficiency checks.

C. When a pilot in command satisfactorily completes each 12 months an approved course of training in an aircraft simulator which the air carrier shows meets the prescribed standards, each such pilot need accomplish only one proficiency check in flight each 12 months.

D. The Board shall review the experience gained under these regulations to determine the effectiveness of the procedures permitted thereby.

In response to Draft Release No. 56-16, the Board received from interested persons comment favorable to the Board's basic objective of permitting broadened use of aircraft simulators by air carriers. There was, however, some diversity of opinion with respect to the specific proposals to amend the operating parts. In the Board's proposal the major change from current practice was to substitute an approved simulator course for one of the two proficiency checks required to be accomplished in flight annually. Certain air carrier spokesmen indicated that they considered this an improper mixing of the training and checking functions, and stated that the regulation should simply permit the accomplishment of one of the required checks in a simulator. Furthermore, these persons also considered that it was not necessary for the Administrator to approve a particular portion of an air carrier's training program (i. e., simulator curriculum). On the other hand, pilot spokesmen expressed concern that successful utilization of aircraft simulators would be realized only through very close supervision by the Administrator, with review by the pilots, of procedures and qualifications of instructors and check personnel.

In Draft Release No. 56-16, the Board also asked for separate comment with respect to the desirability of including in the Civil Air Regulations certain specific standards for aircraft simulator equipment (Draft Release No. 56-16, Appendix

A) which would be used as a basis for approval by the Administrator.

The Board has carefully studied the various views presented and is of the opinion that, at least in the initial stages of expanded simulator use by air carriers, the Administrator should approve the aircraft simulator training program of each air carrier. This procedure will be consistent with the present policy whereby the Administrator makes rules, compliance with which is mandatory, for the conduct of the proficiency checks required by the Civil Air Regulations. The Board will, however, review the experience gained under this regulation and propose any changes which, in the light of such experience, may be in the public interest.

The Board is also of the opinion, in view of the comment received and other information, that the detailed description of the systems or conditions being simulated, and the degree of simulation, should not be prescribed in the Civil Air Regulations, but should be controlled by the Administrator through the medium of the appropriate Civil Aeronautics Manual. The Board considers, however, that the broad, basic standards which describe the characteristics and function of an acceptable aircraft simulator should be included in the regulations.

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

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 41 of the Civil Air Regulations (14 CFR Part 41, as amended) effective March 15, 1957.

By amending § 41.53 by designating the existing paragraph as paragraph (a) and adding a new paragraph (b) to read as follows:

§ 41.53 *Periodic flight checks and instruction.* \* \* \*

(b) Subsequent to the initial pilot proficiency check, a pilot in command need accomplish in flight only one of the proficiency checks required by paragraph (a) of this section during each 12 months if he satisfactorily completes within such 12 months an approved course of training in an aircraft simulator. The interval between completion of the proficiency check in flight and the simulator training course shall be not less than 4 nor more than 8 months. The air carrier shall show that the flight characteristics, performance, instrument reaction, and control loadings of the applicable aircraft are accurately simulated in the aircraft simulator through all ranges of normal and emergency operations in accordance with subparagraphs (1) through (7) of this paragraph:

(1) The simulator shall represent a full-scale mock-up of the cockpit interior, including normal flight crew stations and accommodations for the instructor or check airman.

(2) The effect of changes on the basic forces and moments shall be introduced for all combinations of drag and thrust normally encountered in flight. The effect of changes in airplane attitude, power, drag, altitude, temperature, gross

weight, center of gravity location, and configuration shall be included.

(3) In response to control movement by a flight crew member, all instrument indications involved in the simulation of the applicable airplane shall be entirely automatic in character unless otherwise specified. The rate of change of simulator instrument readings and of control forces shall correspond to the rate of change which would occur on the applicable airplane under actual flight conditions, for any given change in the applied load on the controls, in the applied power or in aircraft configuration. Control forces and degree of actuating control travel shall correspond to that which would occur in the airplane under actual flight conditions.

(4) Through the medium of instrument indication, it shall be possible to use the simulator for the training and checking of a pilot in the operational use of controls and instruments on the applicable airplane model during the simulated execution of ground operation, take-off, landing, normal flight, unusual attitudes, navigation problems, and instrument approach procedures. In addition, the simulator shall be designed so that malfunction of aircraft engines, propellers, and primary systems may be presented and corrective action taken by the crew to cope with such emergencies.

(5) Suitable course and altitude recorders shall be included.

(6) Communication and navigation aids of the applicable airplane shall be simulated for on-the-ground and in-flight operations.

(7) Other aircraft systems and components shall be simulated to the extent found necessary by the Administrator.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 52 Stat. 1007, as amended, 49 U. S. C. 551)

Adopted: February 8, 1957.

Effective March 15, 1957.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 57-1110; Filed, Feb. 12, 1957; 8:52 a. m.]

[Civil Air Regs., Amdt. 42-8]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES  
TRAINING PROGRAMS AND PROFICIENCY CHECKS, USE OF AIRCRAFT SIMULATORS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of February 1957.

Part 42 of the Civil Air Regulations currently requires certain pilot proficiency checks to be accomplished twice a year by each pilot serving as pilot in command in air carrier service. The objective of these checks is to insure that the pilot maintains a high standard of proficiency in the piloting and navigation of the airplane types to be flown by him. The proficiency checks must be given by an authorized representative of the Administrator of Civil Aeronautics or a check pilot of the carrier concerned.

In addition to the normal airplane maneuvers, these checks include certain critical maneuvers which are encountered from time to time in air carrier service such as take-offs and landings with inoperative engines, missed approaches, instrument letdowns, and various emergency procedures.

The Administrator, with the approval of the Board, has for several years approved many maneuvers required in the proficiency checks to be accomplished in synthetic trainers which accurately simulate the flight characteristics and the performance of the aircraft, to which a pilot is assigned, through all ranges of normal and emergency operations. This approval has been based in part upon an air carrier's use of the synthetic trainer in its pilot training program, and the pilot's satisfactory demonstration in actual flight of ability to perform at least 4 basic maneuvers, as follows: Flight at minimum speeds, approach to lowest approved minimums, landing under circling approach conditions, and simulated engine failure(s) during take-off.

The Board foresees, however, that the increasing complexity of aircraft with concomitant need for devices to simulate the flight characteristics of large modern transport aircraft, will be further accentuated as turbo-prop and turbo-jet aircraft are procured. As a result, more intensive training of pilots and crews will be necessary to insure that they are proficient in the operation of these larger and faster aircraft with their corresponding new operating problems, and this training can be accomplished only at considerably increased costs. In anticipation of this problem, certain carriers are preparing to acquire simulators before the aircraft are put into service. This action is predicated on the assumption that essential training can be conducted in part in aircraft simulators more effectively, safely, and economically than in an aircraft, and with considerable saving in time.

The fundamental characteristics of the aircraft simulators in use and under consideration should be made clear in order that interested persons will clearly understand the nature of the device the Board is discussing in this amendment. The Board has in mind that the aircraft simulator shall be a full scale mock-up of the cockpit interior of a particular type aircraft with normal crew stations, plus accommodations for necessary additional persons such as check airmen, instructors, or observers. It shall also include suitable course and altitude recorders. It shall be capable of accurately reproducing the engine and flight performance, control loading, instrument indication, and control movements of the specific model aircraft during the execution of all normal and anticipated emergency maneuvers. Of great importance is the requirement that the device shall be designed to permit presentation of malfunction of aircraft, aircraft engines, propellers, appliances, systems, and other components, and appropriate procedures to cope with such emergencies. Capabilities, as outlined above, will permit intensive training and checking

in normal and abnormal flight conditions, various flight procedures, navigational problems, and essential crew coordination.

Accordingly, the Board published on June 13, 1956 (21 F. R. 4294), a notice of proposed rule making as Civil Air Regulations Draft Release No. 56-16 "Training Programs and Proficiency Checks (Use of Aircraft Simulators)" in which certain proposals were made with respect to the use of aircraft simulators. The Board indicated that it was of the opinion that the advantages of the trainers were so apparent that their controlled introduction into air carrier training procedures on a wider basis was in the public interest and should be encouraged. In summary, the Board found that aircraft simulators have been proven as a valuable aid in improving the effectiveness of pilot training for instrument and equipment proficiency. The promise of further improvement in training is, in fact, so great that it appears desirable to reduce the number of in-flight proficiency checks that pilots are required to take. Simulators are particularly suited to instruction in and practice of numerous emergency procedures which cannot satisfactorily be accomplished in flight, and permit special emphasis on the coordination of crew duties; they offer a laboratory for experimentation in techniques and procedures which might be time-consuming or hazardous in flight; they will permit training to be conducted with more safety as a result of the reduction of frequency of aircraft operations under simulated emergency conditions; their use will result in the reduction of traffic congestion and noise in large terminal areas; and they will reduce substantially the total cost of pilot training programs.

The Board also indicated that, in determining the most appropriate method to realize the full possibilities of aircraft simulators, it could not lose cognizance of its responsibility to assure the highest degree of safety in air transportation even while taking this opportunity to encourage sound technical and economic development of air carrier operations. It is the Board's opinion, therefore, that the broadened use of aircraft simulators in air carrier training programs should be permitted in accordance with these basic principles:

A. The use of simulators shall be permissive with the air carriers.

B. The air carrier shall be required to show that the aircraft simulator meets prescribed standards and shall establish within its training program an approved course of training in such an aircraft simulator. It is anticipated that the training shall consist of at least several hours covering all items currently contained in the flight proficiency checks.

C. When a pilot in command satisfactorily completes each 12 months an approved course of training in an aircraft simulator which the air carrier shows meets the prescribed standards, each such pilot need accomplish only one proficiency check in flight each 12 months.

D. The Board shall review the experience gained under these regulations

to determine the effectiveness of the procedures permitted thereby.

In response to Draft Release No. 56-16, the Board received from interested persons comment favorable to the Board's basic objective of permitting broadened use of aircraft simulators by air carriers. There was, however, some diversity of opinion with respect to the specific proposals to amend the operating parts. In the Board's proposal the major change from current practice was to substitute an approved simulator course for one of the two proficiency checks required to be accomplished in flight annually. Certain air carrier spokesmen indicated that they considered this an improper mixing of the training and checking functions, and stated that the regulation should simply permit the accomplishment of one of the required checks in a simulator. Furthermore, these persons also considered that it was not necessary for the Administrator to approve a particular portion of an air carrier's training program (i. e., simulator curriculum). On the other hand, pilot spokesmen expressed concern that successful utilization of aircraft simulators would be realized only through very close supervision by the Administrator, with review by the pilots, of procedures and qualifications of instructors and check personnel.

In Draft Release No. 56-16, the Board also asked for separate comment with respect to the desirability of including in the Civil Air Regulations certain specific standards for aircraft simulator equipment (Draft Release No. 56-16, Appendix A) which would be used as a basis for approval by the Administrator.

The Board has carefully studied the various views presented and is of the opinion that, at least in the initial stages of expanded simulator use by air carriers, the Administrator should approve the aircraft simulator training program of each air carrier. This procedure will be consistent with the present policy whereby the Administrator makes rules, compliance with which is mandatory, for the conduct of the proficiency checks required by the Civil Air Regulations. The Board will, however, review the experience gained under this regulation and propose any changes which, in the light of such experience, may be in the public interest.

The Board is also of the opinion, in view of the comment received, and other information, that the detailed description of the systems or conditions being simulated, and the degree of simulation, should not be prescribed in the Civil Air Regulations but should be controlled by the Administrator through the medium of the appropriate Civil Aeronautics Manual. The Board considers, however, that the broad, basic standards which describe the characteristics and function of an acceptable aircraft simulator should be included in the regulations.

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

In consideration of the foregoing, the Civil Aeronautics Board hereby amends

Part 42 of the Civil Air Regulations (14 CFR Part 42, as amended) effective March 15, 1957.

By amending § 42.44 (a) by adding a new subparagraph (4) to read as follows:

§ 42.44 *Recent flight experience requirements for flight crew members.*

(a) *Pilots.* . . .

(4) Subsequent to the initial pilot equipment and instrument checks required by subparagraphs (2) and (3), respectively, of this paragraph, a pilot in command need accomplish in flight within each 12 months only one of the required equipment checks and only one of the required instrument checks, if he satisfactorily completes within such 12 months an approved course of training in an aircraft simulator. The interval between completion of the proficiency check in flight and the simulator training course shall be not less than 4 nor more than 8 months. The air carrier shall show that the flight characteristics, performance, instrument reaction, and control loadings of the applicable aircraft are accurately simulated in the aircraft simulator through all ranges of normal and emergency operations in accordance with subdivisions (i) through (vii) of this subparagraph:

(i) The simulator shall represent a full-scale mock-up of the cockpit interior, including normal flight crew stations and accommodations for the instructor or check airman.

(ii) The effect of changes on the basic forces and moments shall be introduced for all combinations of drag and thrust normally encountered in flight. The effect of changes in airplane attitude, power, drag, altitude, temperature, gross weight, center of gravity location, and configuration shall be included.

(iii) In response to control movement by a flight crew member, all instrument indications involved in the simulation of the applicable airplane shall be entirely automatic in character unless otherwise specified. The rate of change of simulator instrument readings and of control forces shall correspond to the rate of change which would occur on the applicable airplane under actual flight conditions, for any given change in the applied load on the controls, in the applied power or in aircraft configuration. Control forces and degree of actuating control travel shall correspond to that which would occur in the airplane under actual flight conditions.

(iv) Through the medium of instrument indication, it shall be possible to use the simulator for the training and checking of a pilot in the operational use of controls and instruments on the applicable airplane model during the simulated execution of ground operation, take-off, landing, normal flight, unusual attitudes, navigation problems, and instrument approach procedures. In addition, the simulator shall be designed so that malfunction of aircraft engines, propellers, and primary systems may be presented and corrective action taken by the crew to cope with such emergencies.

(v) Suitable course and altitude recorders shall be included.

(vi) Communication and navigation aids of the applicable airplane shall be simulated for on-the-ground and in-flight operations.

(vii) Other aircraft systems and components shall be simulated to the extent found necessary by the Administrator.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs 601, 52 Stat. 1007, as amended, 49 U. S. C. 551)

Adopted: February 8, 1957.

Effective: March 15, 1957.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 57-1111; Filed, Feb. 12, 1957;  
8:52 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 6560]

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

STEPHEN F. WHITMAN & SON, INC.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended—Price discrimination under 2 (a):*

§ 13.725 *Cumulative quantity discounts and schedules;*

§ 13.770 *Quantity rebates or discounts.*

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, Stephen F. Whitman & Son, Inc., Philadelphia, Pa., Docket 6560, Jan. 18, 1957]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a Philadelphia manufacturer of assorted chocolates and confections, including its prestige "Whitman's Sampler" package, with nationwide distribution, with discriminating in price in violation of section 2 (a) of the Robinson-Patman Act through use of an annual cumulative quantity discount system under which individual outlets of chain retail stores were allowed discounts based on the aggregate annual purchases of the entire chain, thus qualifying them for the maximum 10 percent discount, while many independents, selling a greater quantity than the individual outlets with which they competed, got no discount at all or at best no more than 2, 3, or 4 percent.

Following entry of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became, on January 18, the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered.* That the respondent Stephen F. Whitman & Son, Inc., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale and distribution of its assorted chocolates and confections, or any other related products, in com-

merce as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Discriminating in price by means of an annual cumulative quantity discount system, or by using the combined purchases of the various outlets of a chain or group purchaser as a basis for determining any such discount, or by any other means, which results in selling to any one purchaser at net prices higher than the net prices charged to any other purchaser who, in fact, competes with a purchaser paying the higher price in the resale of any of respondent's products of like grade and quality, when such discount results in a discrimination in price.

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

*It is 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 the order to cease and desist.

Issued: January 31, 1957.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 57-1085; Filed, Feb. 12, 1957;  
8:47 a. m.]

## TITLE 21—FOOD AND DRUGS

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

#### PART 1—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

PART 9—COLOR CERTIFICATION

PART 85—SEAFOOD INSPECTION

PART 130—NEW DRUGS

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTI-BIOTIC-CONTAINING DRUGS

PART 164—CERTIFICATION OF DRUGS COMPOSED WHOLLY OR PARTLY OF INSULIN

PART 290—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL IMPORT MILK ACT

AMENDMENTS ESTABLISHING UNIFORM PERIODS OF TIME FOR WHICH SPECIFIED RECORDS MUST BE KEPT

Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055; 21 U. S. C. 371), and the Federal Import Milk Act (sec. 3, 44 Stat. 1102; 21 U. S. C. 143), and delegated to the Commissioner of Food and Drugs (20 F. R. 1996; 21 F. R. 6581), the following amendments are ordered:

1a. In § 1.13 *Food; exemptions from labeling requirements*, paragraph (b) (2) is amended to read as follows:

(2) In case such person is not such operator, such shipment or delivery is made to such establishment under a



written agreement, signed by and containing the post-office addresses of such person and such operator, and containing such specifications for the processing, labeling, or repacking, as the case may be, of such food in such establishment as will insure, if such specifications are followed, that such food will not be adulterated or misbranded within the meaning of the act upon completion of such processing, labeling, or repacking. Such person and such operator shall each keep a copy of such agreement until 2 years after the final shipment or delivery of such food from such establishment, and shall make such copies available for inspection at any reasonable hour to any officer or employee of the Department who requests them.

b. In § 1.107 *Drugs and devices; exemptions*, paragraph (a) (2) is amended to read as follows:

(2) In case such person is not such operator, such shipment or delivery is made to such establishment under a written agreement, signed by and containing the post-office addresses of such person and such operator, and containing such specifications for the processing, labeling, or repacking, as the case may be, of such drug or device in such establishment as will insure, if such specifications are followed, that such drug or device will not be adulterated or misbranded within the meaning of the act upon completion of such processing, labeling, or repacking. Such person and such operator shall each keep a copy of such agreement until 2 years after the final shipment or delivery of such drug or device from such establishment, and shall make such copies available for inspection at any reasonable hour to any officer or employee of the Department who requests them.

c. In § 1.204 *Cosmetic; labeling requirements; exemptions*, paragraph (a) (2) is amended to read as follows:

(2) In case such person is not such operator, such shipment or delivery is made to such establishment under a written agreement, signed by and containing the post-office addresses of such person and such operator, and containing such specifications for the processing, labeling, or repacking, as the case may be, of such cosmetic in such establishment as will insure, if such specifications are followed, that such cosmetic will not be adulterated or misbranded within the meaning of the act upon completion of such processing, labeling, or repacking. Such person and such operator shall each keep a copy of such agreement until 2 years after the final shipment or delivery of such cosmetic from such establishment, and shall make such copies available for inspection at any reasonable hour to any officer or employee of the Department who requests them.

2. In § 9.12 *Records of distribution*, paragraph (a) is amended to read as follows:

(a) The person to whom a certificate is issued shall keep complete records showing the disposal of all the coal-tar

color from the batch covered by such certificate. Upon the request of any officer or employee of the Food and Drug Administration, or of any other officer or employee of the United States acting on behalf of the Secretary of Health, Education, and Welfare, such person, at all reasonable hours until at least 2 years after disposal of all such color, shall make such records available to any such officer or employee, and shall accord to such officer or employee full opportunity to make inventory of stocks of such color on hand and otherwise to check the correctness of such records.

3a. In § 85.9 *Processing (Subpart A—Inspection of Processed Shrimp)*, paragraph (g) is amended to read as follows:

(g) The packer shall keep for at least 2 years all shipping records covering shipments from each lot, and upon request shall furnish such records to any inspector of the Administration.

b. In § 85.24 *Processing (Subpart B—Inspection of Canned Oysters)*, paragraph (e) is amended to read as follows:

(e) The packer shall keep for at least 2 years all shipping records covering shipments from each lot, and upon request shall furnish such records to any inspector of the Administration.

4. In § 130.3 *New drugs for investigational use* \* \* \*, paragraphs (a) (4) and (b) (5) are amended to read as follows:

(a) \* \* \*

(4) Such person retains in his files the statement referred to in subparagraph (3) of this paragraph, together with complete records showing the date, quantity, and batch or code mark (if any) of each such shipment and delivery, until 2 years after a new-drug application becomes effective for such drug, or if an application does not become effective, until 2 years after shipment and delivery of such drug for investigational use is discontinued. Upon the request of any officer or employee of the Department at reasonable times, he makes the records referred to in this subparagraph and in subparagraph (3) of this paragraph available for inspection, and upon written request he submits such records, or copies thereof, to the New Drug Branch for examination.

(b) \* \* \*

(5) Such importer retains in his files the statement referred to in subparagraph (4) of this paragraph, together with complete records showing the date, quantity, and batch or code mark (if any) of each such shipment and delivery and the disposition thereof until 2 years after a new-drug application becomes effective for such drug, or if an application does not become effective, until 2 years after disposition by such importer of all lots of such drug to which such statements and records relate. Upon the request of any officer or employee of the Department at reasonable times, he makes the records referred to in this subparagraph and in subparagraph (4) of this paragraph available for inspection, and upon written request

he submits such records, or copies thereof, to the New Drug Branch for examination.

5. Section 146.1 *Definitions and interpretations* is amended by adding the following new paragraph:

(y) At the option of the person having control of records required to be kept by any sections in this part, photostatic or other permanent reproductions may be substituted for such records after the first 2 years of the holding period.

6. In § 164.8 *Records of distribution*, paragraph (b) is amended to read as follows:

(b) Upon the request of any officer or employee of the Food and Drug Administration or of any other officer or employee of the United States, acting on behalf of the Secretary, the person to whom a certificate is issued, at all reasonable hours within 2 years after disposal of all the batch covered by such certificate, shall make such records available to any such officer or employee, and shall accord to such officer or employee full opportunity to make inventory of stocks of such batch on hand and otherwise to check the correctness of such records.

7. Section 290.17 is amended to read as follows:

§ 290.17 *Pasteurization; equipment and methods*. All dairy farms and plants at which any milk or cream is pasteurized for shipment or transportation into the United States shall employ adequate pasteurization machinery of a type easily cleaned and of sanitary construction capable of holding every portion of the milk or cream at the required temperature for the required time. Such pasteurizing machinery shall be properly equipped with accurate time and temperature recording devices, which shall be kept at all times in good working order. The temperature at the time of heating and holding must invariably be recorded on thermograph charts, initialed, numbered, and dated by the official having jurisdiction over such farms and plants. All thermograph charts shall be held for a period of 2 years unless within that period they have been examined and released by such authorized agents as are designated by the Secretary.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the purpose of the order is to relieve present requirements of the regulations by shortening the time for which some records must be kept, by allowing substitution of reproductions of other records after the initial 2-year holding period, by specifying with particularity the period of time for which other records must be kept, and by making uniform, so far as practicable, the length of time for which records must be kept under the Federal Food, Drug, and Cosmetic Act and the Federal Import Milk Act.

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

(Sec. 701, 52 Stat. 1055 as amended; 21 U. S. C. 371. Interpret or apply sec. 3, 44 Stat. 1102; 21 U. S. C. 143)

Dated: February 4, 1957.

[SEAL]

JOHN L. HARVEY,  
Deputy Commissioner  
of Food and Drugs.

[F. R. Doc. 57-1077; Filed, Feb. 12, 1957;  
8:45 a. m.]

**PART 37—FISH; DEFINITIONS AND STANDARDS OF IDENTITY; STANDARDS OF FILL OF CONTAINER**

**ORDER ACTING ON PROPOSAL TO ADOPT DEFINITION AND STANDARD OF IDENTITY AND STANDARDS OF FILL OF CONTAINER FOR CANNED TUNA FISH**

In the matter of adopting a definition and standard of identity and standards of fill of container for canned tuna fish:

A notice of proposed rule making was published in the FEDERAL REGISTER of August 28, 1956 (21 F. R. 6492), setting forth a proposal to adopt a definition and standard of identity and standards of fill of container for canned tuna fish. Comments and suggestions were received from a number of interested persons. After due consideration of the comments and suggestions received, the information furnished by the petitioner, and other relevant and reliable information, it is concluded that it will promote honesty and fair dealing in the interest of consumers to adopt, with minor modifications, the proposed definitions and standards of identity and fill of container for canned tuna fish published in the FEDERAL REGISTER of August 28, 1956 (supra).

Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919; 21 U. S. C. 341, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (20 F. R. 1996; 21 F. R. 6581): *It is ordered*, That the following new part be added to Chapter I.

**Sec.**

37.1 Canned tuna; definition and standard of identity; label statement of optional ingredients.

37.3 Canned tuna; fill of container; label statement of substandard fill.

**AUTHORITY:** §§ 37.1 and 37.3 issued under sec. 701, 52 Stat. 1055 as amended; 21 U. S. C. 371. Interpret or apply sec. 401, 52 Stat. 1046; 21 U. S. C. 341.

§ 37.1 *Canned tuna; definition and standard of identity; label statement of optional ingredients.* (a) Canned tuna is the food consisting of processed flesh of fish of the species enumerated in paragraph (b) of this section, prepared in one of the optional forms of pack specified in paragraph (c) of this section, conforming to one of the color designations specified in paragraph (d) of this section, in one of the optional packing media specified in paragraph (e) of this section, and may contain one or more of the seasonings and flavorings specified in paragraph (f) of this section. It is packed in hermetically sealed containers and so processed by heat as to prevent

spoilage. It is labeled in accordance with the provisions of paragraph (h) of this section.

(b) The fish included in the class known as tuna fish are:

Thunnus thynnus.....	Bluefin tuna. <sup>1</sup>
Thunnus maccoyii.....	Southern bluefin tuna. <sup>1</sup>
Thunnus orientalis.....	Oriental tuna. <sup>2</sup>
Thunnus germon.....	Albacore. <sup>2</sup>
Parathunnus mebachi.....	Big-eyed tuna. <sup>2</sup>
Neothunnus macropterus.....	Yellowfin tuna. <sup>2</sup>
Neothunnus rarus.....	Northern bluefin tuna. <sup>2</sup>
Katsuwonus pelamis.....	Skipjack. <sup>3</sup>
Euthynnus alletteratus.....	Little tunny. <sup>3</sup>
Euthynnus lineatus.....	Little tunny. <sup>3</sup>
Euthynnus yaito.....	Kawakawa. <sup>4</sup>

<sup>1</sup>"A Comparison of the Bluefin Tunas, Genus Thunnus, from New England, Australia, and California," by H. C. Godsil and Edwin K. Holmberg, State of California, Department of Natural Resources, Division of Fish and Game, Bureau of Marine Fisheries, Fish Bulletin No. 77 (1950).

<sup>2</sup>"Contributions to the Comparative Study of the So-called Scombroid Fishes," by Kamakichi Kishinouye, Journal of the College of Agriculture, Imperial University of Tokyo, Vol. VIII, No. 3 (1923).

<sup>3</sup>"A Systematic Study of the Pacific Tunas," by H. C. Godsil and Robert D. Byers, State of California, Department of Natural Resources, Division of Fish and Game, Bureau of Marine Fisheries, Fish Bulletin No. 60 (1944).

<sup>4</sup>"A Descriptive Study of Certain Tuna-Like Fishes," by H. C. Godsil, State of California, Department of Fish and Game, Fish Bulletin No. 97.

The description of each species will be found in the text to which reference is made.

(c) The optional forms of processed tuna consist of loins and other striated muscular tissue of the fish. The loin is the longitudinal quarter of the great lateral muscle freed from skin, scales, visible blood clots, bones, gills, viscera, and from the nonstriated part of such muscle, which part (known anatomically as the median superficial muscle), is highly vascular in structure, dark in color because of retained blood, and granular in form. Canned tuna is prepared in one of the following forms of pack, the identity of which is determined in accordance with the methods prescribed in § 37.3 (b).

(1) Solid or solid pack consists of loins freed from any surface tissue discolored by diffused hemolyzed blood, cut in transverse segments to which no free fragments are added. In containers of 1 pound or less of net contents, such segments are cut in lengths suitable for packing in one layer. In containers of more than 1 pound net contents, such segments may be cut in lengths suitable for packing in one or more layers of equal thickness. Segments are placed in the can with their planes of their transverse cut ends parallel to the ends of the can. A piece of a segment may be added if necessary to fill a container. The proportion of free flakes broken from loins in the canning operation shall not exceed 18 percent.

(2) Chunk, chunks, chunk style consists of a mixture of pieces of tuna in which the original muscle structure is retained. The pieces may vary in size, but not less than 50 percent of the weight

of the pressed contents of a container is retained on a ½-inch-mesh screen.

(3) Flake or flakes consist of a mixture of pieces of tuna in which more than 50 percent of the weight of the pressed contents of the container will pass through a ½-inch-mesh screen, but in which the muscular structure of the flesh is retained.

(4) Grated consists of a mixture of particles of tuna that have been reduced to uniform size, that will pass through a ½-inch-mesh screen, and in which the particles are discrete and do not comprise a paste.

(5) Any of the specified forms of pack of canned tuna may be smoked. Canned smoked tuna shall be labeled in accordance with the provisions of paragraph (h) (5) of this section.

(d) Canned tuna, in any of the forms of pack specified in paragraph (c) of this section, falls within one of the following color designations, measured by visual comparison with matte surface neutral reflectance standards corresponding to the specified Munsell units of value, determined in accordance with paragraph (g) of this section.

(1) *White.* This color designation is limited to the species Thunnus germon (albacore), and is not darker than Munsell value 6.3.

(2) *Light.* This color designation includes any tuna not darker than Munsell value 5.3.

(3) *Dark.* This color designation includes all tuna darker than Munsell value 5.3.

(4) *Blended.* This color designation may be applied only to tuna flakes specified in paragraph (c) (3) of this section, consisting of a mixture of tuna flakes of which not less than 20 percent by weight meet the color standard for either white tuna or light tuna, and the remainder of which fall within the color standard for dark tuna. The color designation for blended tuna is determined in accordance with paragraph (g) of this section.

(e) Canned tuna is packed in one of the following optional packing media:

(1) Any edible vegetable oil other than olive oil, or any mixture of such oils not containing olive oil.

(2) Olive oil.

(3) Water.

(f) Canned tuna may be seasoned or flavored with one or more of the following:

(1) Salt.

(2) Purified monosodium glutamate.

(3) Hydrolyzed protein.

(4) Hydrolyzed protein with reduced monosodium glutamate content.

(5) Spices or spice oils or spice extracts.

(6) Vegetable broth in an amount not in excess of 5 percent of the volume capacity of the container, such broth to consist of a minimum of 0.5 percent by weight of vegetable extractives and to be prepared from two or more of the following vegetables: Beans, cabbage, carrots, celery, garlic, onions, parsley, peas, potatoes, green bell peppers, bell peppers, spinach, and tomatoes.

(7) Garlic.

(g) For determination of the color designations specified in paragraph (d).

of this section, the following method shall be used: Recombine the separations of pressed cake resulting from the method prescribed in § 37.3 (b). Pass the combined portions through a sieve fitted with woven-wire cloth of ¼-inch mesh which complies with the specifications for such wire cloth set forth in "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Mix the sieved material and place a sufficient quantity into a 307-x 113 size container (bearing a top seam and having a false bottom approximately ½-inch deep and painted flat black inside and outside) so that after tamping and smoothing the surface of the sample the material will be ⅛-inch to ¼-inch below the top of the container. Within 10 minutes after sieving through the ¼-inch mesh woven-wire cloth, determine the Munsell value of sample surface.

(1) Determine the Munsell value of the sample surface so prepared. The following method may be used, employing an optical comparator, consisting of a lens and prism system which brings two beams of light, reflected from equal areas of sample surface and standard surface, respectively, together, within an eyepiece, so as to show an equally divided optical field. The scanned areas of sample and standard surface are not smaller than 2 square inches. Light reaching the eye is rendered sufficiently diffuse, by design of eyepiece and comparator, so that detail of the sample surface will remain undefined, to a degree such as to avoid visual confusion in observation of a match of over-all intensity of reflected light. The eyepiece contains a color filter centering at a wavelength between 550 m $\mu$  and 560 m $\mu$ . The filter does not pass appreciable visible radiation of wavelengths below 540 m $\mu$  or above 570 m $\mu$ . The passed wavelength band is of a monochromaticity sufficient to cause a sample and a neutral standard of equal reflectance to appear of the same hue. The comparator is rigidly mounted on a vertical stand attached to a base in which arrangement is provided for securely and accurately positioning two cans of size 307 x 113 in the two fields of view: Mounted on the base are two shaded lamps, which direct the center of their beams of light at about a 45° angle to the plane of the sample and standard surfaces. The lamps are so positioned that light from one bears mainly upon the sample surface and light from the other mainly on the standard surface, and are so placed in relation to sample and standard that no shadows, as from the can rims, appear in the fields of view. The lamps are strong enough to furnish adequate and convenient illumination through eyepiece and filter. Means is provided to alter the light intensity of one lamp in relation to the other, as may conveniently be achieved by using a 100-watt tungsten filament bulb in one lamp and using, in the other, a similar 150-watt bulb connected with the power source through a suitable rheostat. The stand is equipped with nonglossy black curtains on the side of the observer, to exclude variation in

extraneous light reflected from the person of the observer.

(2) To adjust the comparator, place a pair of matte surface standards of Munsell value 5.3, mounted as described in subparagraph (4) of this paragraph, in position in the comparator base, and adjust the intensity of the variable lamp until the two halves of the optical field, viewed through the eyepiece, are of equal brightness. Then remove one of the standards and replace it with the prepared sample. Without altering any other adjustment, observe through the eyepiece whether the sample appears lighter or darker than the standard. In case of examination of albacore designated "white," conduct the procedure using standards of Munsell value 6.3.

(3) The standards with which comparisons are made are essentially neutral matte-finish standards, equivalent in luminous reflectance of light of 555 m $\mu$  wavelength to 33.7 percent of the luminous reflectance of magnesium oxide (for Munsell value 6.3) and 22.6 percent of the luminous reflectance of magnesium oxide (for Munsell value 5.3), as given by the relationship between Munsell value and luminous reflectance derived by a subcommittee of the Optical Society of America and published in the "Journal of the Optical Society of America," Volume 33, page 406 (1943).

(4) These standards shall be cut in circles 3¼ inches in diameter and shall be mounted in 307 x 113 size containers, bearing a top seam and painted flat black inside and outside, so that the surfaces of the standards are ⅜ inch below the top of the containers in which they are mounted.

(5) In the case of blended tuna, the foregoing method shall be varied by first separating the tuna flakes of the two different colors before passing them through the ¼-inch mesh sieve, then proceeding with each portion separately for the determination of its color value, employing, if necessary, a sample container with false bottom greater than ½ inch deep.

(h) (1) The specified names of the canned tuna for which definitions and standards of identity are prescribed by this section, except where water is the packing medium or where the tuna is smoked, are formed by combining the designation of form of pack with the color designation of the tuna; for example, "Solid pack white tuna," "Grated dark tuna," etc. In the case of blended tuna, there shall be used both applicable color designations of the blended flakes, in precedence determined in accordance with the predominating portion found in the container; for example, "Blended white and dark tuna flakes," "Blended dark and light tuna flakes."

(2) The specified name of canned tuna when water is used as the packing medium is formed as described in subparagraph (1) of this paragraph, followed by the words "in water"; for example, "Grated light tuna in water."

(3) When the packing medium is vegetable oil or olive oil, the label shall bear the name of the optional packing medium used, as specified in paragraph (e) of this section, preceded by the word "in" or the words "packed in." In case of

the optional ingredient specified in paragraph (e) (1) of this section, the name or names of the oil used may be stated, or the general term "vegetable oil" may be used.

(4) In case solid pack tuna is packed in olive oil, the designation "Tonno" may also appear.

(5) In case any of the specified forms of canned tuna are smoked, the word "smoked" shall appear as a part of the name on the label; for example, "Smoked light tuna flakes."

(6) Where the canned tuna contains one or more of the ingredients listed in paragraph (f) of this section, the label shall bear the statement "Seasoned with \_\_\_\_\_," the blank being filled in with the name or names of the ingredient or ingredients used, except that if the ingredient designated in paragraph (f) (6) of this section is used the blank shall be filled with the term "vegetable broth"; and if the ingredient designated in paragraph (f) (5) of this section is used alone, the label may alternatively bear either the statement "spiced" or the statement "with added spice"; and if salt is the only seasoning ingredient used the label may alternatively bear any of the statements "salted," "with added salt," "salt added."

(7) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the names of the optional ingredients used as specified by subparagraphs (3) and (6) of this paragraph shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the common name of the species of tuna fish used may so intervene, but the species name "albacore" may be employed only for canned tuna of that species which meets the color designation "white," as prescribed by paragraph (d) (1) of this section.

§ 37.3 Canned tuna; fill of container; label statement of substandard fill. (a) The standard of fill of container for canned tuna is a fill such that the average weight of the pressed cake from 24 cans, as determined by the method prescribed by paragraph (b) of this section, is not less than the minimum value specified for the corresponding can size and form of tuna ingredient in the following table:

I. Can size and form of tuna ingredient	II. Minimum value for weights of pressed cake (average of 24 cans)	Ounces
211 x 109:		
Solid .....		2.25
Chunks .....		1.98
Flakes .....		1.98
Grated .....		2.00
307 x 113:		
Solid .....		4.47
Chunks .....		3.92
Flakes .....		3.92
Grated .....		3.96
401 x 206:		
Solid .....		8.76
Chunks .....		7.68
Flakes .....		7.68
Grated .....		7.76
603 x 408:		
Solid .....		43.2
Chunks .....		37.9
Flakes .....		37.9
Grated .....		38.3

If the can size in question is not listed, calculate the value for column II as follows: From the list select as the comparable can size that one having nearest the water capacity of the can size in question, multiply the value listed in column II for the same form of tuna ingredient by the water capacity of the can size in question and divide by the water capacity of the comparable can size. Water capacities are determined by the general method provided in § 10.2 (a) of this chapter. For the purposes of this section, cans of dimensions 211 x 109 shall be deemed to have a water capacity at 68° F. of 3.55 avoirdupois ounces of water; cans of dimensions 307 x 113, a water capacity of 7.05 avoirdupois ounces of water; cans of dimensions 401 x 206, a water capacity of 13.80 avoirdupois ounces of water; and cans of dimensions 603 x 408, a water capacity of 68.15 avoirdupois ounces of water.

(b) The methods referred to in paragraph (a) of this section for determining the weight of the pressed cake and referred to in § 37.1 (c) (1) for determining the percent of free flakes and the percent of pieces that pass through a ½-inch-mesh sieve are as follows:

(1) Have each of the 24 cans and contents at a temperature of 75° F. within ±5° F. Test each can in turn as follows:

(2) Cut out the top of the can (code end), using a can opener that does not remove nor distort the double seam.

(3) With the cut top held on the can contents, invert the can, and drain the free liquid by gentle finger pressure on the cut lid so that most of the free liquid drains from the can.

(4) With the cut lid still in place, cut out the bottom of the can with the can opener, then turn the can upright and remove the cut can top (code end). Scrape off any adhering tuna particles into the tuna mass in the can.

(5) Place the proper size of press cylinder as provided in paragraph (c) (1) of this section in a horizontal position on a table; then, using the cut bottom of the can as a pusher, gently force the can contents from the can into the cylinder so that the flat side of the can contents lies in contact with the bottom of the cylinder. Remove the bottom of the can that was used as the pusher and scrape any adhering particles from the can body and bottom of the can, and put them in the cylinder.

(6) Place the cylinder plunger on top of the can contents in the cylinder. Remove the eyebolt and put the cylinder and plunger in position on the press (paragraph (c) (3) of this section).

(7) Begin the operation of the press, and as soon as liquid is observed coming from the cylinder start timing the operation. Apply pressure to the plunger slowly and at a uniform rate, so that a full minute is used to reach a pressure of 384 pounds per square inch of plunger face in contact with the can contents. Hold this pressure for 1 additional minute and then release the pressure and disengage the plunger from the press shaft. Tip the press cylinder so that any free liquid is drained out.

(8) Remove press cylinder with plunger from the press, insert eyebolt in

plunger and withdraw it from the cylinder. Loosen the pressed cake from the cylinder with a thin blade and remove the entire pressed cake as gently as possible, to keep the mass in a single cake during this operation. Place the pressed cake and any pieces that adhered to the plunger and cylinder in a tared receiving pan and determine the weight of the pressed material.

(9) For cans larger than 401 x 206, cut out the top of the can and drain off free liquid from the can contents as in operations described in subparagraphs (2) and (3) of this paragraph. Determine the gross weight of the can and remaining contents. Using a tared core cutter as provided for in paragraph (c) (2) of this section, cut vertically a core of the drained material in the can. Determine the weight of the core. With a thin spatula transfer the core to the pressing cylinder for 401 x 206 cans. Determine the weight of the pressed cake as in the operations described in subparagraphs (5) through (8) of this paragraph. Remove the remaining drained contents of the can, reserving the contents for the determination of free flakes (subparagraph (11) of this paragraph), weigh the empty can, and calculate the weight of the total drained material. Calculate the weight of pressed cake on the entire can basis by multiplying the weight of the pressed cake of the core by the ratio of the weight of the drained contents of the can to the weight of the core before pressing.

(10) Repeat the determination of weight of pressed cake on the remainder of the 24 cans and determine the average weight of pressed cake for the purpose of paragraph (a) of this section.

(11) Determination of free flakes: If the optional form of tuna ingredient is solid pack, determine the percent of free flakes. Any flakes resulting from the operations described in this subparagraph or in other parts of this paragraph are to be weighed as free flakes. Only fragments that were broken in the canning procedure are considered to be free flakes. If the can is of such size that its entire drained contents were pressed as described in subparagraphs (1) to (8), inclusive, of this paragraph, examine the pressed cake carefully for free flakes. Using a spatula, scrape free flakes gently from the outside of the cake. Weigh the aggregate free flakes that were broken from the loin segments in the canning procedure and calculate their percentage of the total weight of pressed cake. If the can is of such size that a core was cut for pressing as described in subparagraph (9) of this paragraph, make the examination for free flakes on a weighed portion of the drained material remaining after the core was removed. The weight of the portion examined should approximately equal the weight of the core before pressing. Calculate the weight of the free flakes that were broken from the loins in the canning procedure as a percentage of the weight of the portion examined.

(12) Determination of particle size: If the optional form of tuna ingredient is chunks, flakes, or grated, the press-cake resulting from the operations described in subparagraphs (1) to (9), in-

clusive, of this paragraph is gently separated by hand, care being taken to avoid breaking the pieces. The separated pieces are evenly distributed over the top sieve of the screen separation equipment described in paragraph (c) (4) of this section. Beginning with the top sieve, lift and drop each sieve by its open edge three times. Each time, the open edge of the sieve is lifted the full distance permitted by the device. Combine and weigh the material remaining on the three top sieves (1½-inch, 1-inch, ½-inch screens), and determine the combined percentage retention by weight in relation to the total weight of the pressed cake.

(c) (1) The press cylinder and plunger referred to in paragraph (b) of this section are made of stainless steel. The press cylinders are made with a lip to facilitate drainage of the liquid. Plungers have a threaded center hole, about half as deep as the thickness of the plunger, for receiving a ringbolt to assist in removing the plunger from the press cylinder. Dimensions for press cylinders and plungers are as follows:

*For can size 211 x 109*

Press cylinder:  
Inside depth, approximately 3¾ inches.  
Inside diameter, 2.593 inches.  
Wall thickness, approximately ⅜ inch.  
Plunger:  
Thickness, approximately 1 inch.  
Diameter, 2.568 inches.

*For can size 307 x 113*

Press cylinder:  
Inside depth, approximately 4 inches.  
Inside diameter, 3.344 inches.  
Wall thickness, approximately ⅜ inch.  
Plunger:  
Thickness, approximately 1¼ inches.  
Diameter, 3.319 inches.

*For can size 401 x 206*

Press cylinder:  
Inside depth, approximately 4⅞ inches.  
Inside diameter, 3.969 inches.  
Wall thickness, approximately ½ inch.  
Plunger:  
Thickness, approximately 1¼ inches.  
Diameter, 3.944 inches.

For can sizes where the diameter is greater than 401, the core cutter described in subparagraph (2) of this paragraph shall be used and the resulting core pressed in the press cylinder for can size 401 x 206. For can sizes differing from those specified in this subparagraph, special press cylinders and plungers may be used. Special press cylinders have inside diameters ¼-inch less than the outside diameters, at the double seam, for the can sizes for which the cylinders are used; plunger diameters are 0.025-inch less than the inside diameters of the press cylinders.

(2) The core cutter referred to in paragraphs (b) (9) and (11) and subparagraph (1) of this paragraph is made from a previously sealed 300 x 407 can. The cover, including the top seam, is cut out. The edge is smoothed and sharpened. A small hole to permit passage of air is made in the bottom.

(3) The hydraulic press referred to in paragraph (b) (6) to (10), inclusive, of this section is made by so mounting a hydraulic jack in a strong frame that it will press horizontally against the center of the plunger in the press cylinder.

der used. The frame is so braced that it does not change shape when pressure is applied. The gauge on the hydraulic jack is so calibrated that it will indicate, for the plunger being used, when the plunger is pressing against the contents of the press cylinder with a pressure of 384 pounds per square inch of plunger face.

(4) The sieving device referred to in paragraph (b) (12) of this section consists of three sieves, each approximately 1 foot square, loosely mounted, one above the other, in a metal frame. The mesh in the top sieve complies with the specifications for 1½-inch woven-wire cloth as set forth in "Standard Specifications for Sieves," as published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. The meshes in the sieves below comply with similar specifications for 1-inch and ½-inch woven-wire cloth as set forth in the same publication. The sides of each sieve are formed, in a raised rim, from ¾-inch x ⅛-inch metal strap. The frame has tracks made of ⅜-inch angle metal to support each sieve under each side. The tracks are so positioned as to permit each sieve a free vertical travel of 1¼ inches.

(d) If canned tuna falls below the applicable standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill provided in § 10.3 (b) of this chapter, in the manner and form therein specified.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, shall specify with particularity the provisions of the order deemed objectionable and the grounds for the objections, and shall request a public hearing on the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

**Effective date.** The definition and standard of identity (§ 37.1) promulgated by this order shall become effective one year after its publication in the FEDERAL REGISTER, and the standard of fill of container (§ 37.3) promulgated by this order shall become effective 90 days after its publication in the FEDERAL REGISTER, except in each case any provisions that may be stayed by the filing of exceptions thereto. Notice of the filing of objections, or lack thereof, will be announced by publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371)

Dated: February 7, 1957.

[SEAL] JOHN L. HARVEY,  
Deputy Commissioner  
of Food and Drugs.

[F. R. Doc. 57-1079; Filed, Feb. 12, 1957; 8:46 a. m.]

**PART 164—CERTIFICATION OF BATCHES OF DRUGS COMPOSED WHOLLY OR PARTLY OF INSULIN**

**CERTIFICATION OF MASTER LOTS**

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 506, 701, 52 Stat. 1055, as amended 70 Stat. 919; 55 Stat. 851; 21 U. S. C. 356, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (20 F. R. 1996), the regulations for the certification of batches of drugs composed wholly or partly of insulin (21 CFR Part 164) are amended as indicated below:

1. In § 164.1 *Definitions and interpretations of terms*, paragraph (h) is amended to read as follows:

(h) Except as provided in § 164.3 (c), the term "batch" means a quantity of a drug, in labeled packages, of uniform composition and intended for administration without further change, in which the sole insulin-containing ingredient is a single dilution (which has been mixed in one container so as to be homogeneous) of:

2. Section 164.3 *Certifications* is amended by redesignating paragraph (c) as (d) and inserting a new paragraph (c) between paragraph (b) and redesignated paragraph (d), as follows:

(c) Upon the request of the manufacturer, the Commissioner shall certify as a "batch" a master lot, which has been approved in accordance with § 164.2 (j), as safe and efficacious for use in preparation of an insulin-containing drug, subject to the conditions on the effectiveness of such certifications as are set forth in § 164.4 (a) (1) and (b) (5).

3. In § 164.4 *Conditions on the effectiveness of certificates*, paragraph (b) is amended by changing the period at the end of subparagraph (4) to "; or" and adding the following new subparagraph:

(5) With respect to a master lot of insulin, 5 years after date of issue if the master lot is a solution, or 10 years after date of issue if the master lot is a solid.

4. Section 164.10 *Fees* is amended by changing paragraph (b) (1) (ii) to read as follows:

(ii) \$25 if the master lot or mixture has been previously certified by the Commissioner in accordance with § 164.3 (c).

Notice and public procedure are not necessary prerequisites to the promulgation of this order, since it provides relief of the affected industry from a prohibition of section 502 (k) of the Federal Food, Drug, and Cosmetic Act by providing for the certification of an article of commerce, namely, master lots of insulin, as defined in § 164.1 (g) of the regulations providing for the certification of insulin.

**Effective date.** This order shall become effective on the thirtieth day following the date of its publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interpret or apply secs. 502, 506, 52 Stat. 851; 21 U. S. C. 352, 356)

Dated: February 7, 1957.

[SEAL] JOHN L. HARVEY,  
Deputy Commissioner  
of Food and Drugs.

[F. R. Doc. 57-1078; Filed, Feb. 12, 1957; 8:45 a. m.]

**TITLE 24—HOUSING AND HOUSING CREDIT**

**Subtitle A—Office of the Administrator, Housing and Home Finance Agency**

**PART 2—DISPOSITION OF ATOMIC ENERGY COMMISSION PROPERTIES**

**FINDING OF REASONABLE POSSIBILITY OF DISPOSAL OF REAL PROPERTY AT RICHLAND, WASH.**

§ 2.2 *Finding of reasonable possibility of disposal of real property at Richland, Washington.* Pursuant to section 51 of the Atomic Energy Community Act of 1955 (69 Stat. 476, 42 U. S. C. 2341), and Executive Order 10657, approved February 14, 1956, and after consultations with the Atomic Energy Commission, I hereby find that there is a reasonable possibility that the Government-owned real property at Richland, Washington, can be disposed of in accordance with the provisions of Chapter 5 of the said Atomic Energy Community Act of 1955.

(Sec. 111, 69 Stat. 483, 42 U. S. C. 2305. E. O. 10657, 21 F. R. 1063. Interprets or applies sec. 51, 69 Stat. 476; 42 U. S. C. 2341)

Effective as of the 11th day of February 1957.

ALBERT M. COLE,  
Housing and Home  
Finance Administrator.

[F. R. Doc. 57-1152; Filed, Feb. 12, 1957; 8:55 a. m.]

**TITLE 29—LABOR**

**Chapter V—Wage and Hour Division, Department of Labor**

**PART 526—INDUSTRIES OF A SEASONAL NATURE**

**SUBSTITUTION OF COON CERTIFIED CONCRETE FOR NORTH MOUNTAIN CRUSHED STONE CO.**

The determination that the northern branch of the crushed stone industry is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 (52 Stat. 1063; 29 U. S. C. 207 (b) (3)) issued on July 8, 1940 (5 F. R. 2526), was enlarged on September 24, 1940 (5 F. R. 3770) to include the plant of North Mountain Crushed Stone Company in Luzerne County, Pennsylvania. The ownership of this plant has, since that time, been transferred to a firm doing business as Coon Certified Concrete.

Notice was published in the FEDERAL REGISTER on November 15, 1956 (21 F. R. 8891), that a prima facie case had been shown for amending the determination by substituting Coon Certified Concrete for North Mountain Crushed Stone Com-

pany. Interested persons were given 15 days from such date to file objections and requests for hearing on this preliminary determination.

No objection or request for hearing has been received within the said 15 days.

Accordingly, I find that the ownership of the plant of North Mountain Crushed Stone Company has been transferred to the firm of Coon Certified Concrete and pursuant to authority contained in section 7 (b) (3) of the Fair Labor Standards Act of 1938 (52 Stat. 1063, as amended; 29 U. S. C. 207 (b) (3)), and General Order No. 45-A (15 F. R. 3290), the order of September 24, 1940, and supplemental determination No. 7 for this industry as contained in § 526.101 (29 CFR Part 526), is hereby amended by substituting such plant of Coon Certified Concrete for that of North Mountain Crushed Stone Company.

(Sec. 7, 52 Stat. 1063, as amended; 29 U. S. C. 207)

This determination shall become effective 30 days after publication in the FEDERAL REGISTER.

Signed at Washington, D. C. this 7th day of February 1957.

NEWELL BROWN,  
Administrator.

[F. R. Doc. 57-1105; Filed, Feb. 12, 1957;  
8:51 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

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

#### Appendix—Public Land Orders

[Public Land Order 1387]

#### ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF THE BUREAU OF PUBLIC ROADS AS ADMINISTRATIVE SITES. PARTIALLY REVOKING EXECUTIVE ORDER NO. 5582 OF MARCH 8, 1931

By virtue of the authority vested in the President by section 2380 of the Revised Statutes (43 U. S. C. 711), section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn as follows and reserved for use of the Bureau of Public Roads, Department of Commerce, as administrative sites:

[Fairbanks 012347]

a. From sale or disposal:

A tract of land adjoining the present Alaska Road Commission administrative site contained in U. S. Survey 2778, located on the Richardson Highway at Big Delta, described as follows:

Beginning at corner No. 1, U. S. Survey No. 2778, thence N. 74° 53' E., 150.02 feet;

On a curve to the right, with a radius of 5,579.58 feet, long chord bearing and distance being S. 11° 04' 57" E., 204.36 feet to a point which is 150 feet left and at right angle from P. C. Station 2064 +15.6 Richardson Highway;

S. 10° 02' E., 468.97 feet;  
S. 79° 58' W., 153.18 feet to corner No. 2, U. S. Survey 2778;  
N. 10° 02' W., 660.00 feet to point of beginning.

The tract described, containing 2.34 acres, is a portion of the lands withdrawn for town-site purposes by Public Land Order No. 808 of February 27, 1952.

[Anchorage 020553]

b. From all forms of appropriation under the public land laws, including the mining and mineral-leasing laws:

SEWARD MERIDIAN

T. 20 N., R. 8 E.,  
Sec. 28, SW¼NE¼ and E½SE¼NW¼.

The areas described aggregate 60 acres.

2. Public Land Order No. 808 of February 27, 1952, is hereby modified to the extent necessary to permit the use of the lands in paragraph 1 (a) by the Bureau of Public Roads, Department of Commerce. Executive Order No. 5582 of March 8, 1931, which reserved lands for purposes of investigation, examination, and classification, is hereby revoked so far as it affects the lands described in paragraph 1 (b) of this order.

HATFIELD CHILSON,  
Assistant Secretary of the Interior.

FEBRUARY 7, 1957.

[F. R. Doc. 57-1080; Filed, Feb. 12, 1957;  
8:46 a. m.]

## PROPOSED RULE MAKING

### INTERSTATE COMMERCE COMMISSION

[ 49 CFR Part 325 ]

#### DESTRUCTION OF RECORDS OF CARRIERS BY WATER

#### NOTICE OF PROPOSED RULE MAKING

JANUARY 31, 1957.

Notice is hereby given pursuant to provisions of section 4 (a) of the Administrative Procedure Act that revised regulations to govern the destruction of records of carriers by water which are set forth below in tentative form are to be prescribed by the Commission. Any interested person may on or before March 1, 1957 file with the Commission's Secretary written views or arguments to be considered in this connection, and may request oral argument thereon. After consideration of representations so received and with such changes as may seem warranted because of them, an order will be entered making the revised regulations effective after due notice to carriers which will be subject thereto.

The proposed revised regulations are to be issued under authority contained in sections 313 (g) and 317 (d) of the Interstate Commerce Act, as amended (54 Stat. 944, 948; 49 U. S. C. 913, 917).

By the Commission, Division 2.

[SEAL] HAROLD D. McCoy,  
Secretary.

§ 325.1 *Introduction.* The regulations in this part specify the records and documents which may be destroyed and prescribe the length of time the same shall be preserved, but mention of a record or document hereinafter imposes no requirement that it shall be installed if its purpose is otherwise being adequately served. Compliance with the regulations in this part will not exempt a carrier from statutory requirements, other than provisions of the Interstate Commerce Act, for retention of records or documents for periods longer than those prescribed in this part.

§ 325.2 *Authority to destroy records—*  
(a) *General authority.* Carriers by water may destroy records or documents named or described in the regulations in this part after they have been preserved for the prescribed periods of time. Permanent records are those which may not be destroyed without special authority.

(b) *Special authority.* A carrier proposing to destroy records or documents which are not named or described in the regulations in this part, or which if named or described have not been retained for the period required by the regulations, may request special authority to destroy them. Applications for such special authority shall describe in detail the records or documents to be destroyed and shall explain why their continued retention is unnecessary.

§ 325.3 *Photographic copies.* (a) Certain records and documents may be preserved on microfilm and the film retained in lieu of the original record or document, subject to the following limitations:

(1) The records listed in § 325.7 with a permanent retention period may not be destroyed after being photographed for preservation unless special authority is first secured as provided in § 325.2 (b).

(2) All records and documents listed in § 325.7 other than those excluded in subparagraph (1) of this paragraph, may be destroyed after they have been suitably photographed for preservation.

(b) To be acceptable in lieu of original records, photographic copies must meet the following minimum requirements:

(1) Photographic copies shall be no less readily accessible than the original record or document as normally filed or preserved would be, and suitable means or facilities shall be available to locate, identify, read, or reproduce such photographic copies. Photographic copies shall be preserved until the end of the period prescribed for the original records or documents.

(2) Any significant characteristic, feature, or other attribute of the original record or document, which photography in black and white will not preserve,

shall be clearly indicated before the photograph is made.

(3) The reverse side of printed forms need not be copied if nothing has been added to the printed matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(4) Film used for photographing copies shall be of permanent record type meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer shall be observed to protect it from deterioration or accidental destruction.

§ 325.4 *Supervision of destruction.* Within six months after the effective date of the regulations in this part or within six months after becoming subject to this provision, each carrier shall appoint an officer or other responsible employee to supervise the destruction of records and documents. Such appointment shall be by formal corporate act or, if the carrier is not incorporated, by such formal act as would be necessary to execute a contract binding on the carrier.

§ 325.5 *Record of destroyed records.* The supervising officer or other designated employee shall maintain a record of all carrier records and documents which have been destroyed pursuant to the regulations in this part, except those the retention of which is optional with the carrier. The record shall be available for inspection in the office of the supervising officer and shall be in such detail that the destroyed records or documents may be identified and the time, place, and method of destruction can be established. If the destruction is by accident or at the hand of someone not subject to the carrier's control, then the record shall include a statement of the relevant circumstances.

§ 325.6 *Carriers going out of business.* The records and documents relating to operations of a carrier subject to the regulations in this part may be destroyed without regard to the prescribed periods of retention after carrier status is abandoned for purposes of the Interstate Commerce Act: *Provided however,* (a) If the carrier is a corporation being dissolved by act of the authority which created it, the records may not be destroyed until dissolution is otherwise complete, and (b) if the carrier is not incorporated or is being kept alive for purposes other than carrier operations, records relating to former carrier operations may not be destroyed until all transactions relating to such operations are completed.

§ 325.7 *Prescribed periods of retention.* The following list describes the purpose for which a record is necessary and the prescribed periods shall be observed even if a record by some other name serves the described purpose. If identical copies of the same document serve more than one such described purpose, only one copy is required to be retained by the regulations in this part.

Item	Description of Records, etc.	Period to be retained
<b>GENERAL AND FINANCIAL</b>		
1	Minute books of directors', executive committee's, stockholders', and other meetings.	Permanent.
2	Code and cipher books, file copies of.....	Permanent.
3	Capital stock records:	
	(a) Capital stock ledger.....	Permanent.
	(b) Capital stock certificates, records of or stubs of.....	Permanent.
	NOTE: If the information shown on the stubs is recorded in permanent records, the stubs are required to be retained only for a period of three years.	
	(c) Stock transfer register.....	Permanent.
	(d) Memoranda and bills of sale or of transfer of capital stock.....	2 years.
	(e) Capital stock subscription notices and requests for allotment.....	1 year.
	(f) Canceled capital stock certificates. (See item 6.)	
4	Long-term debt records:	
	(a) Registers of bonds and certificates.....	Permanent.
	(b) Records or stubs of bonds and certificates.....	Permanent.
	NOTE: If the information shown on the stubs is recorded in permanent records, the stubs are required to be retained only for a period of three years.	
	(c) Memoranda and bills of sale or of transfer of registered bonds and certificates.....	2 years.
	(d) Records of interest coupons paid and unpaid.....	3 years after payment.
	(e) Funded debt subscription notices and requests for allotment.....	1 year.
	(f) Canceled or unissued bonds, and certificates, and paid interest coupons. (See item 6.)	
5	Corporate elections:	
	(a) Proxies of holders of voting securities.....	2 years.
	(b) Lists of holders of voting securities presented at meetings.....	6 years.
	(c) Qualification oaths of judges of election.....	Optional.
	(d) Qualification oaths of directors.....	Optional.
	(e) Ballots cast and tabulations of vote.....	2 years.
	(f) Judges' reports of election results.....	2 years.
6	Retired stock certificates, bonds, notes, interest coupons, receiver's and trustee's certificates, and temporary certificates; taken up and canceled.	Optional.
7	Ledgers:	
	(a) General and auxiliary ledgers and indexes thereto, except as provided for elsewhere in these regulations.....	Permanent.
	(b) Trial balance sheets of general and auxiliary ledgers.....	4 years.
8	Record of securities owned, in treasury, or with custodians.....	Permanent.
9	General and auxiliary journals.....	Permanent.
10	General and auxiliary cash books, except cash books at agencies provided for in item 97 (a). NOTE: If any receipts or payments are entered in the aggregate in the general cash book and are detailed only on loose sheets, such loose sheets constitute an auxiliary cash book when no other permanent record of the items thereon is made.	Permanent.
11	(a) General journal entries.....	6 years.
12	(b) Supporting papers not otherwise provided for.....	6 years.
	Records summarizing the results of auxiliary (outside) or holding company operations for entry in general books. NOTE: Ledgers, journals, abstracts, reports, vouchers, tickets, etc., shall be retained for the same periods as are provided for similar documents elsewhere in these regulations.	
13	Corporate identity:	
	(a) Incorporation and other historical records.....	Permanent.
	(b) Charters and franchises with supporting details.....	Until legally required to release.
14	Contracts and agreements:	
	(a) Contracts, leases, and agreements.....	3 years after expiration or cancellation.
	(b) Card or book records of contracts, leases, and agreements made, and expirations and renewals.....	3 years after expiration or cancellation.
15	(a) Tax records, copies of schedules and returns to taxing authorities for tax purposes.....	6 years.
	(b) Records of appeals, tax bills, and statements.....	6 years after settlement.
16	Copies of applications to and authorities from regulating bodies for the issuance of stocks, bonds, and other securities.	Permanent.
17	Records of expired or canceled fidelity and indemnity bonds, including the bonds.	3 years.
18	Insurance records:	
	(a) Records pertaining to the payment of insurance premiums and to insurance recoveries.....	3 years.
	(b) Inspectors' reports of condition of insured property.....	2 years.
	(c) Insurance policies.....	Optional.
	(d) Schedules of risks covered by self insurance.....	3 years.
19	Treasurer's records:	
	(a) Statements from depositaries of funds received, disbursed, and transferred.....	3 years.
	(b) Daily or other periodical statements of the receipt and disbursement of funds. (See note under item 10.)	3 years.
	(c) Ledgers, journals, and other records of outstanding vouchers, checks, drafts, etc., issued and not presented.....	3 years.
	(d) Bank deposit books, and stubs, ledgers, or records of checks.....	Optional.
	(e) Copies of deposit slips.....	Optional.
20	Miscellaneous records pertaining to agents' accounts:	
	(a) General office records or ledgers of agents' accounts showing debits and credits from various sources.....	6 years.
	(b) General office records relating to extension of credit for transportation and other charges.....	2 years after discontinuance of credit arrangement.
	(c) Statements of corrections in agents' accounts.....	3 years.
21	Reports of examinations, audits, and transfers by special accountants, traveling auditors, time inspectors, weight inspectors, etc., and supporting papers.	3 years.
22	Records pertaining to verification of treasurer's cash or securities.	2 years.
<b>REVENUES</b>		
30	Freight revenue records:	
	(a) Details of settlements with agents and others, and with carriers.....	6 years.
	(b) Record of unsettled freight bills, freight bills in suspense, etc.....	1 year after disposition.
	(c) Tracers and supporting papers concerning unsettled freight bills.....	Until settled.
31	Passenger revenue records:	
	(a) Details of settlements with agents and others, and with other carriers.....	6 years.
	(b) Records and reports of passenger associations and bureaus.....	3 years.
32	Line service revenue records, other than freight and passenger revenues, detailing settlements with agents and others, and with other carriers.	3 years.
33	Records of revenues from operations other than line service, detailing settlements with agents and others, and with other carriers.	3 years.
34	Cash fare collection journals, ledgers, and records.	2 years.

PROPOSED RULE MAKING

Item	Description of Records, etc.	Period to be retained	Description of Records, etc.	Period to be retained
40	<p><b>EXPENDITURES</b></p> <p><b>Labor distributions and summaries:</b>                      (a) Records showing the detailed distribution of labor expenditures charged to all accounts, including memoranda and memorandum recapitulation sheets, except as otherwise provided in item 45.                      (b) Work orders, job tickets, and other papers covering the application of labor, the details of which have been transcribed into other records for retention.</p>	<p>4 years.                      2 years.                      6 years.                      Optional.                      3 years.                      Optional.</p>	<p><b>TRAFFIC</b></p> <p>Tariffs and other rate authorities:                      (a) Tariffs, classifications, division sheets, and related circulars affecting the transportation of persons or property, in the general files of the traffic or other department in which the complete official file is maintained.                      (b) Tariffs, classifications, division sheets, and related circulars in other departments and at agencies, if copies of the same issues of such tariffs, etc., are preserved in the general files referred to in item 60a.                      (c) Special or reduced rate orders, and supporting papers, covering the movement of passengers.                      (d) Requests and receipts from agents and others for tariffs, classifications, division sheets, and related circulars.                      (e) Copies of concurrences and powers of attorney filed with the Interstate Commerce Commission and with other regulating bodies.                      (f) Written requests on carrier's quotations.                      (g) Authorities for the transportation of property, free or at reduced rates, and supporting papers.                      (h) Correspondence and working papers in connection with the making of rates and compilation of tariffs, classifications, division sheets, and related circulars affecting the transportation of persons or property.</p>	<p>2 years after expiration or cancellation.                      Optional after expiration or cancellation.                      2 years after expiration or cancellation.                      Optional.                      2 years after cancellation.                      Optional.                      3 years.                      3 years after cancellation of tariff, etc.</p>
41	<p><b>Payroll records:</b>                      (a) Payrolls and summaries.                      (b) Records and memoranda pertaining to deductions from payrolls.                      (c) Receipted pay checks, certificates issued for wages, discharge tickets, time tickets, and other evidences of payments for services rendered by employees, except as otherwise provided in item 45.                      (d) Cancelled pay checks drawn in favor of "bearer" in payment of wages for which receipt is shown on payrolls or other records retained by carrier.</p>	<p>Optional.                      4 years.                      2 years.</p>	<p>Diversion of freight:                      (a) Records pertaining to the diversion or reconsignment of freight.                      (b) Requests, tracers, and correspondence in connection with diversions or reconsignments.</p>	<p>Optional.                      2 years after cancellation.                      Optional.</p>
42	<p><b>Material distributions and summaries:</b>                      (a) Journals, ledgers, or other records and memoranda showing the detailed distribution of expenditures for materials and supplies chargeable to all accounts, including memorandum recapitulation sheets.                      (b) Work orders, job tickets, and other papers covering the application of labor and of materials and supplies, the details of which have been transcribed into other records for retention.</p>	<p>15 years.                      10 years.</p>	<p><b>Ticket records:</b>                      (a) Copies of orders on printing houses for ticket stock.                      (b) Record of ticket stock received, issued, and destroyed.                      (c) Requisitions and receipts for tickets and cash fare receipts furnished agents, pursers, and stewards.                      (d) Used or canceled passenger-fare tickets, chair tickets, stateroom tickets, meal tickets or checks, prepaid orders, exchange checks, and storage checks; the reports of which, showing their sale or issue, have been audited. (See item 80f.)                      (e) Unissued or unused tickets if a complete record is kept in accordance with item 69b.                      (f) Inventories of tickets in hands of agents.                      (g) Records and reports of tickets redeemed.</p>	<p>2 years.                      2 years.</p>
43	<p><b>Vouchers:</b>                      (a) Register of audited vouchers payable and indexes thereto.                      (b) Paid drafts, paid checks, and receipts for cash paid out, except as otherwise provided in item 50c.                      (c) All vouchers or accounts payable and supporting papers. (See item 45).                      (d) Stubs of bank check books.                      (e) Lists containing authorities for payment of specific vouchers.                      (f) Reports of drafts issued by claim agents, terminal and station agents, and others.                      (g) Record or index of vouchers to be made, with notations of dates of issue.</p>	<p>6 years.                      3 years.                      2 years.                      1 year.                      Optional.                      15 years.                      4 years.</p>	<p><b>PURCHASES AND STORES</b></p> <p>Bids, offers, copies of orders and correspondence pertaining to the purchase or sale of material and supplies.                      Material and supplies:                      (a) Records of material and supplies on hand and detail papers of inventories.                      (b) Records and reports of material and supplies received and issued.                      (c) Requisitions and receipts for material and supplies issued, the totals of which have been transcribed into other records for retention.</p>	<p>Optional.                      2 years.                      2 years.                      3 years.                      3 years.                      1 year.                      3 years.                      3 years.                      2 years.</p>
44	<p><b>Bills collectible:</b>                      (a) Register of bills collectible (or accounts receivable bills) and indexes thereto.                      (b) Copies of bills issued for collection, and supporting papers which do not accompany the original bills.                      (c) Copies of detailed receipts for rental of vessels to others under charter, contract, or oral agreement.                      (d) Periodical statements of unsettled accounts, except trial balance sheets.                      (e) Record or index of bills to be issued, with notations of dates of issue.</p>	<p>2 years after expiration of agreement.                      Optional.                      Optional.</p>	<p>Passes and free tickets:                      (a) Copies of orders on printing houses for pass stock.                      (b) Records of pass stock received, distributed, and destroyed.                      (c) Requests for passes; copies or stubs of requests for passes, and receipts for passes.                      (d) Records of passes issued.                      (e) Records of passes received from other carriers.                      (f) Stubs of trip passes.                      (g) Pass identification slips.                      (h) Records of annual or term passes honored.                      (i) Trip passes and free passenger-fare tickets collected.                      (j) Void, unused, and unissued passes.                      (k) Records of free passenger-fare tickets issued.                      (l) Pursers' and stewards' reports of passes collected or honored.                      (m) Reports of trip passes issued.</p>	<p>1 year.                      1 year.                      3 years.                      3 years.                      3 years.                      1 year.                      1 year.                      1 year.                      3 years.                      1 year.                      2 years.</p>
45	<p><b>Real property and equipment records:</b>                      (a) Deeds and other title papers.                      (b) Records and memoranda of the cost or the inventory value of real property and equipment.                      (c) Records and memoranda showing in detail all the items pertaining to expenditures for real property and equipment.</p>	<p>Permanent.                      Permanent.                      Permanent but only 3 years if transferred to permanent records.                      Permanent.</p>	<p><b>TRANSPORTATION</b></p> <p>Operating department records pertaining to the movement of snips, lighters, and barges.</p>	<p>Optional.                      2 years.                      2 years.                      2 years.                      2 years.                      3 years.</p>
46	<p><b>Special authorities for expenditures:</b>                      (a) Estimates and special authorities for expenditures for maintenance and improvements.                      (b) Detail records and memoranda pertaining to such estimates, if summarized in records covered by item 46a.</p>	<p>2 years.                      Optional if expenditures are detailed in permanent records.                      Optional.</p>	<p>Operating department records pertaining to the movement of snips, lighters, and barges.</p>	<p>Optional.                      2 years.                      2 years.                      2 years.                      3 years.</p>
50	<p><b>CLAIMS</b></p> <p><b>Claim records:</b>                      (a) Claim registers, card or book indexes, and other records in connection with overcharge, loss and damage, personal injury, fire, and other claims.                      (b) Records showing the details of authorities issued to agents, carriers, and others for participation in freight claims.                      (c) All papers substantiating overcharge, loss and damage, personal injury, fire, and other claims, whether such papers are filed separately or attached to vouchers. (See item 43b.)                      (d) Claim jackets if all information thereon appears in records covered by item 50c.                      (e) Reports and statements regarding personal injuries, when not necessary to support claims or vouchers.                      (f) Tracers, reports and other records pertaining to unclaimed, over, short, damaged, and refused freight, when not necessary to support claims or vouchers.</p>	<p>6 years.                      6 years.                      3 years after settlement or rejection.                      Optional.                      3 years.                      1 year.</p>	<p>Operating department records pertaining to the movement of snips, lighters, and barges.</p>	<p>Optional.                      2 years.                      2 years.                      2 years.                      3 years.</p>
51	<p><b>Claim investigation records:</b>                      (a) Reports and statements regarding personal injuries, when not necessary to support claims or vouchers.                      (b) Tracers, reports and other records pertaining to unclaimed, over, short, damaged, and refused freight, when not necessary to support claims or vouchers.</p>	<p>3 years after settlement or rejection.                      Optional.                      3 years.                      1 year.</p>	<p>Operating department records pertaining to the movement of snips, lighters, and barges.</p>	<p>Optional.                      2 years.                      2 years.                      2 years.                      3 years.</p>
52	<p><b>Special orders incident to disposal of damaged, refused, and unclaimed freight.</b></p>	<p>3 years.</p>	<p>Operating department records pertaining to the movement of snips, lighters, and barges.</p>	<p>3 years.</p>



Item	Description of Records, etc.	Period to be retained
<b>TRANSPORTATION—continued</b>		
83	Ship records: (a) Ship's log..... (b) Ship's articles..... (c) Passenger and room list..... (d) Correspondence in connection with reservations..... (e) Accident reports..... (f) Purser's and stewards' berth and chair checks.....	Permanent. 6 years. 6 years. 1 year. 3 years. Optional.
<b>AGENCIES</b>		
90	Freight records: (a) Reports of freight forwarded and received..... (b) Transfer records of freight received from and delivered to connecting carriers..... (c) Records of freight received and freight delivered.....	3 years. 3 years. 3 years.
91	Freight waybills and freight bills: (a) Original local waybills and freight bills, and audited copies thereof..... (b) Original interline waybills and freight bills received from other carriers..... (c) Copies of all interline waybills and freight bills made to other carriers..... (d) Copies of interline waybills moving between points on other lines to which the carrier is intermediate..... (e) Reports of undercharges and overcharges (correction notices)..... (f) Company freight waybills..... (g) Copies of way bills and freight bills furnished to joint traffic associations, bureaus, and similar agencies, if such copies contain no information other than that appearing on the original waybills and freight bills or in other records..... (h) Memoranda or slips on which are listed waybills and freight bills sent to the audit office, if such memoranda or slips are not used in auditing the accounts.....	2 years. 2 years. 2 years. 2 years. 2 years. 2 years. Optional. Optional.
92	Bills of lading and releases: (a) Copies of bills of lading..... (b) Shippers' order-notify bills of lading taken up and canceled..... (c) Contracts covering transportation and storage risks of carriers..... (d) Shipping tickets..... (e) Dray tickets.....	2 years. 2 years. 4 years. 2 years. 2 years.
93	Baggage records: (a) Baggage waybills and manifests..... (b) Records of baggage handled..... (c) Used and canceled baggage checks (not excess baggage)..... (d) Excess baggage checks (including c. o. d.), excess baggage book coupons, and excess baggage permits; the reports of which have been audited..... (e) Record of baggage check stock received, issued, or destroyed..... (f) Unused baggage checks, if record is kept in accordance with item 93e..... (g) Receipts from agents, pursers, stewards, baggage masters, and others; for valuable letters and packages.....	2 years. 2 years. Optional. Optional. 2 years. Optional. Optional.
94	Agents' reports: (a) Reports of ticket sales..... (b) Baggage reports..... (c) Reports of miscellaneous collections.....	2 years. 2 years. 2 years.
95	Remittances: Agents', pursers', and stewards' remittance slips, bank deposit slips, and supporting papers, not provided for elsewhere.	2 years.
96	Agents' balance sheets and supporting papers.....	3 years.
97	Other records at stations, wharf offices, pursers' and stewards' offices, and other agencies: (a) Cash books..... (b) All others.....	6 years. 3 years.
98	Instructions to agents and others: (a) Books and circulars of instructions to agents and others in the general file of the department in which the complete official file is maintained..... (b) Surplus copies of books and circulars of instructions and copies in other departments and at agencies, if copies of the same issues are preserved in the general file referred to in item 98a.....	3 years after expiration or cancellation. Optional.
99	Duplicate copies of reports, records, and documents retained in agency files, the retention of which is not provided for elsewhere.	Optional.
<b>STATISTICS</b>		
100	Reports to Interstate Commerce Commission and other regulating bodies: (a) Annual financial, operating, and statistical reports, file copies of, and supporting records and papers. NOTE: If the figures for the above-mentioned reports are assembled on memorandum sheets, such sheets constitute a part of the supporting papers and should be retained accordingly. (b) Periodical reports of operating revenues, expenses, and income, file copies of, and supporting records and papers. (c) Accident reports, file copies of, and supporting records and papers.....	6 years. 3 years. 3 years.
101	Annual reports or statements to stockholders, file copies of.....	Permanent.
102	Statistical statements, statistical records, and supporting papers showing tonnage, revenues, and expenses not covered by item 100.	3 years.
103	Reports of tonnage, revenue, and receipts used only for preparing statements of estimated revenues or expenses or the movement of traffic.	Optional.
104	Tabulating cards used in the compilation of statistics and other data, when the results are transcribed to other records covered by these regulations.	1 year.
111	Audit reports of public accountants.....	3 years.
112	Duplicate copies of records and documents listed in these regulations, if all information on such duplicates is contained on the originals or other copies retained.	Optional.
113	Records of employees, including applications for employment, reports and certificates of examinations, service records, efficiency tests, employees' rosters, and other similar records.	1 year.
114	Provident department records, such as employees' relief, hospital, insurance, and savings departments, other than records pertaining to the receipt and disbursement of funds. NOTE: The records pertaining to the receipt and disbursement of funds must be retained for the same periods as are provided for similar records in item 19b.	1 year.
115	Data relating to records destroyed.....	Permanent.
116	Correspondence and records thereof relating to the subjects listed in these regulations, not otherwise provided for.	For the period prescribed for the record to which the correspondence relates.

[F. R. Doc. 57-1094; Filed, Feb. 12, 1957; 8:49 a. m.]

## NOTICES

### DEPARTMENT OF DEFENSE

#### Department of the Army

RALPH M. BESSE

#### STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) of the Defense Production Act of 1950, as amended, and Executive Order No. 10647 of November 28, 1955, the following changes have taken place as of January 26, 1957 in my financial interests as reported in the FEDERAL REGISTER, August 25, 1956.

- A. Deletions: None.
- B. Additions: Prince Marine Drilling & Exploration Co.—stockholder. Steel Improvement & Forge Co.—stockholder.

Dated: January 26, 1957.

RALPH M. BESSE.

[F. R. Doc. 57-1075; Filed, Feb. 12, 1957; 8:45 a. m.]

### BENJAMIN B. MATHIS

#### STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) of the Defense Production Act of 1950, as amended, and Executive Order No. 10647 of November 28, 1955, the following changes have taken place as of February 1, 1957, in my financial interests as reported in the FEDERAL REGISTER, August 15, 1956.

- A. Deletions: Holyoke Water Power, Black Sivals, Bryson, New England Gas & Electric, Kennametal Inc., Hancock Bank.
- B. Additions: None.

Dated: February 1, 1957.

BENJAMIN B. MATHIS.

[F. R. Doc. 57-1076; Filed, Feb. 12, 1957; 8:45 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

ALASKA

#### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATIONS OF LANDS

The Bureau of Land Management has filed an application, Serial No. Fairbanks 010504, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining laws, but not including the mineral leasing law nor the Materials Act. The applicant desires the land for public recreation purposes.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objec-

tions in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

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

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

The lands involved in the application are:

#### MOON LAKE CAMPGROUND

Unsurveyed land located near milepost 1338, Alaska Highway, Latitude 63°23' N., Longitude 143°30' W., more particularly described as follows:

Beginning at a point on the centerline of the Alaska Highway at milepost 1338;

Thence southeasterly along the centerline of the Alaska Highway 4.4 chains;

Thence N. 16° E. 16.60 chains to MC 3 located at high water line of Moon Lake;

Thence by meander of lake shore,

S. 73° W. 0.71 chains,

N. 84° W. 1.55 chains,

N. 78° W. 2.16 chains,

N. 72° W. 2.96 chains,

N. 62° W. 2.86 chains to MC 4,

Thence S. 16° W. 16.15 chains to a point on the centerline of the Alaska Highway;

Thence southeasterly along the centerline of said highway 5.6 chains to the point of beginning.

The tract as described contains 14.85 acres.

#### RETREAT CAMPGROUND

Unsurveyed land located between Steese Highway and Chatanika River, Longitude 147°16' West, Latitude 65°11'49" North, more particularly described as follows:

Beginning at a point on the centerline of the Steese Highway 2½ chains easterly of Milepost 36;

Thence northerly at right angles to said centerline 100 feet to Corner 1 which bears N. 50° 30' E. 3.98 chains from Milepost 36;

Thence,

N. 70° 30' W. 10.00 chains;

N. 60° W. 3.35 chains;

N. 20° W. 1.80 chains to left limit Chatanika River;

Thence by meander upstream:

N. 70° 30' E. 1.29 chains;

N. 68° E. 1.35 chains;

N. 72° E. 1.58 chains;

N. 46° E. 9.00 chains;

N. 59° E. 4.12 chains;

N. 66° E. 1.03 chains;

S. 86° E. 1.84 chains;

S. 89° E. 1.67 chains;

S. 75° E. 1.87 chains;

S. 76° E. 2.36 chains;

S. 65° E. 1.73 chains;

S. 63° E. 1.49 chains;

S. 60° 30' E. 1.05 chains to meander corner;

Thence S. 8° E. 13.39 chains to a point on the centerline of the Steese Highway;

Thence S. 82° W. along the centerline of said highway 15.18 chains to the point of beginning.

The tract as described contains 34.3 acres.

#### CHATANIKA RIVER BRIDGE CAMPGROUND

Unsurveyed land located on the west side of the Steese Highway at the Chatanika River bridge, Longitude 147°15' West, Latitude 65°12' North, more particularly described as follows:

Beginning at a point on the centerline of the Steese Highway at the north end of the Chatanika River bridge,

Thence N. 29° W. along the centerline of said Highway 10 chains;

Thence West 10 chains;

Thence South 8.72 chains to the right limit or north bank of the Chatanika River;

Thence East 14.8 chains along said bank to the point of beginning.

The tract as described contains 9.4 acres.

#### MILE 47 STEESE CAMPGROUND

Unsurveyed land near Milepost 47 Steese Highway between the highway and Chatanika River, Longitude 146°58' West, Latitude 65°13'30" North, more particularly described as follows:

Beginning at a point from which Milepost 47, Steese Highway bears N. 75° 30' E. 13.20 chains,

Thence South 2.30 chains to high water line of Chatanika River

Thence by meander westerly along river—West, 0.50 chains.

N. 42° W. 1.51 chains, West 2.26 chains,

S. 29° 30' W. 1.23 chains,

S. 61° 30' W. 2.25 chains,

S. 41° W. 1.50 chains,

S. 62° W. 2.43 chains,

N. 33° W. 1.42 chains,

N. 53° W. 5.40 chains,

N. 80° 30' W. 2.00 chains,

S. 80° 30' W. 2.00 chains to MC 2,

Thence North 5.70 chains,

E. 9.38 chains,

S. 53° 30' E. 6.65 chains,

S. 75° E. 2.60 chains,

N. 80° E. 1.15 chains to point of beginning.

The tract as described contains 7.8 acres.

#### TOLOVANA CAMPGROUND

Unsurveyed land located at Elliot Highway crossing of Tolovana River, Longitude 148°17' West, Latitude 65°10' North, more particularly described as follows:

Beginning at a point on the centerline of the Elliot Highway at the south end of the bridge crossing of the Tolovana River; thence southerly along said centerline 9.68 chains;

S. 61° W. 5.95 chains;

N. 28° 30' W. 19.50 chains;

N. 70° 30' E. 7.20 chains to a point on the centerline of the Elliot Highway;

Thence southerly along said centerline 6.05 chains to the point of beginning.

The tract as described contains 8.8 acres.

#### BEDROCK CREEK CAMPGROUND

Unsurveyed land along Steese Highway near Central at Bedrock Creek, Longitude 145°03' West, Latitude 65°35' North, more particularly described as follows:

Beginning at a point on the centerline of the Steese Highway at its crossing of Bedrock Creek;

S. 53° W. along said centerline 7.02 chains,

N. 23° W. 20.80 chains,

N. 67° E. 17.70 chains,

S. 23° E. 18.39 chains to a point on the centerline of the Steese Highway;

Thence southwesterly along the centerline of said Highway approximately 11 chains to the point of beginning.

The tract as described contains 15.4 acres.

#### DEADMAN LAKE CAMPGROUND

Unsurveyed land near Milepost 1250, Alaska Highway, Longitude 141°30' West, Latitude 62°53' North, more particularly described as follows:

Beginning at point of mean high water Deadman Lake;

Thence N. 45° E. 8.00 chains to point from which milepost 1250 Alaska Highway bears S. 65° E. 1.33 miles;

Thence N. 45° W. 20.00 chains;

Thence S. 45° W. 8.00 chains to point on Deadman Lake;

Thence by meander southeasterly along lakeshore approximately 21.00 chains to point of beginning.

The tract as described contains 20 acres.

#### TOK RIVER CAMPGROUND

Unsurveyed land located at crossing of the Alaska Highway over the Tok River, Longi-

tude 142°59' W., Latitude 63°20'12" N., more particularly described as follows:

Beginning at center of E. end of Tok River Bridge on Alaska Highway, thence:

S. 75° 45' E. 5 chains along centerline of Highway.

N. 10° 15' E. 5.4 chains to bank of Tok River

Thence by meander:

N. 81° W. 5.8 chains,

N. 88° W. 1.17 chains,

S. 75° W. 0.41 chains,

S. 37° 30' W. 0.91 chains,

S. 16° W. 4 chains

S. 75° 45' E. 3 chains parallel to centerline of Alaska Highway to point of beginning.

The tract as described contains 4.1 acres.

#### CLEARWATER CAMPGROUND

Unsurveyed land located on Clearwater Creek Longitude 145°32' W., Latitude 64°03'30" N. in the vicinity of Big Delta, more particularly described as follows:

Beginning at Station 0 (also corner No. 1 U. S. Survey No. 2840).

Thence North 5 chains to Station 1,

Thence East 19 chains to Station 2,

Thence South 23 chains parallel with portion of west boundary RR. Remington Trade and Manufacturing Site, Fairbanks No. 010433 to Station 3,

Thence West 22.38 chains to Station 4,

Thence N. 12.03 chains to Station 5 (also Corner 2, U. S. Survey No. 2840).

Thence N. 29° 30' E. 6.86 chains to point of beginning.

The tract as described contains 48.14 acres.

ROGER R. ROBINSON,

Operations Supervisor.

[F. R. Doc. 57-1100; Filed, Feb. 12, 1957; 8:50 a. m.]

## ALASKA

### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Department of Air Force has filed an application, Serial No. Fairbanks 014046, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for radio station purposes.

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

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

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

The lands involved in the application are:

#### FAIRBANKS MERIDIAN

That portion of the W½ of the W½ of Section 32, Township 1 North, Range 1 West described by metes and bounds as follows:

Starting at the common corner of Sections 30, 29, 31, and 32 thence 900 feet south following the section line between Sections 32 and 31 to the point of beginning.

Thence 1,000 feet east on a line parallel to the Section line between Sections 29 and 32.

Thence 2,400 feet south following a line parallel to the Section line common to Sections 31 and 32.

Thence 1,000 feet west on a line parallel to the Section line common to Sections 29 and 32.

Thence 2,400 feet north following the section line common to Sections 31 and 32 to the point of beginning.

The area described contains approximately 55.1 acres.

ROGER R. ROBINSON,  
Operations Supervisor.

[F. R. Doc. 57-1101; Filed, Feb. 12, 1957; 8:51 a. m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### LEARNER EMPLOYMENT CERTIFICATES

##### ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended March 1, 1956, 21 F. R. 1349).

The following learner certificates were issued for normal labor turnover purposes and, except as otherwise indicated below, 10 percent of the total number of factory production workers were authorized for employment.

Barnesville Manufacturing Co., Inc., 315-319 South Gardner Street., Barnesville, Ohio; effective 1-28-57 to 1-27-58 (ladies' pajamas).

Belton Shirt Co., Inc., Belton, S. C.; effective 1-23-57 to 1-22-58 (men's sport shirts).

Chetopa Manufacturing Co., Inc., Chetopa, Kans.; effective 1-23-57 to 1-22-58 (work pants, waistband overalls).

Eastwill Sportswear Co., Inc., Greenwood, S. C.; effective 2-2-57 to 2-1-58 (men's sport shirts).

The Garment Manufacturing Co., Inc., Hicks Street, Lawrenceville, Va.; effective 2-6-57 to 2-5-58; five learners (children's wearing apparel).

Hollywood Maxwell Co., East Union Street, Minden, La.; effective 1-25-57 to 1-24-58; 10 learners (brassieres).

L'Attice Elastic Foundations, Inc., 81 Fair Street, Hackensack, N. J., effective 1-22-57 to 1-21-58; four learners (brassieres and girdles).

Maury Manufacturing Co., Inc., P. O. Box 31, Mt. Pleasant, Tenn.; effective 1-25-57 to 1-24-58 (sport shirts).

Meyers & Son Manufacturing Co., Inc., Corner First and Jefferson Streets, Madison, Ind., effective 2-1-57 to 10-2-57 (men's one piece work suits) (replacement certificate).

Modelrite Dress Co., 147 Chestnut Street, Dunmore, Pa.; effective 1-28-57 to 1-27-58; 10 learners (women's dresses, housecoats).

N & W Industries, Inc., 736 South President Street, Jackson, Miss., effective 2-9-57 to 2-8-58 (work pants and shirts).

Orangeburg Garment Co., Inc., Walhalla, S. C.; effective 2-3-57 to 2-2-58 (cotton wash dresses and housecoats).

Reliance Manufacturing Co., Plantation Factory, Montgomery, Ala.; effective 2-19-57 to 2-18-58 (dungarees, hobby jeans, khaki).

Reliance Manufacturing Co., Freedom Factory, Edwards St. at Tuscon Ave., Hattiesburg, Miss.; effective 2-12-57 to 2-11-58 (men's and boys' pajamas).

Reliance Factory, Factory No. 20, Slater, Mo.; effective 1-26-57 to 1-25-58 (men's and boys' sport shirts).

Rival Dress Co., Inc., 110 West Blaine Street, McAdoo, Pa.; effective 2-7-57 to 2-6-58 (ladies cotton dresses).

The Roswell Co., Roswell, Ga.; effective 2-7-57 to 2-6-58 (men's work pants).

Williamson-Dickie Manufacturing Co., P. O. Box 448, Uvalde, Tex.; effective 2-5-57 to 2-4-58 (men's shirts, jackets).

The following learner certificates were issued for plant expansion purposes. The number of learners authorized is indicated:

Moryart Shirt Manufacturing Co., Inc., 838 County Club, Prescott, Ariz.; effective 1-28-57 to 7-27-57; 40 learners (men's sport shirts).

Rhea Manufacturing Co., Colquitt Division, Colquitt, Ga.; effective 1-25-57 to 7-24-57; five learners. Learners may not be employed at special minimum wage rates in the production of separate skirts (dresses, blouses, etc.).

Wilson Bros., 1008 West Sample Street, South Bend, Ind.; effective 1-25-57 to 7-24-57; 50 learners for plant expansion purposes engaged in the manufacture of shirts and pajamas only (sport shirts, pajamas, dress shirts).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.43, as amended March 1, 1956, 21 F. R. 629).

Barber Hosiery Mills, Inc., 1078 S. Main St., Mount Airy, N. C.; effective 1-25-57 to 1-24-58; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Belmont Hosiery Mills, Inc., Belmont, N. C.; effective 2-1-57 to 1-31-58; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Belmont Knitting Co., Belmont, N. C.; effective 1-30-57 to 1-29-58; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Van Raalte Co., Inc., Blue Ridge, Ga.; effective 1-25-57 to 1-24-58; five learners for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.30 to 522.35, as amended March 1, 1956, 21 F. R. 581).

Chatham Knitting Mills, Inc., Chatham, Va.; effective 1-23-57 to 1-22-58; two learners for normal labor turnover purposes (knitted outerwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended February 28, 1955, 20 F. R. 645).

The following learner certificates were issued to the companies listed below manufacturing miscellaneous products. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed are as indicated:

Doro Apparel Corp., Pottsville Street, Wilkes-Barre, Pa.; effective 1-29-57 to 7-28-57; not less than 85 cents an hour for the first 160 hours and 90 cents an hour for the remaining 160 hours of the 320-hour learning period, for the occupation of sewing machine operator; authorizing the employment of five learners for normal labor turnover purposes (belts, shoulder pads).

Haspel, Inc., Tylertown, Miss.; effective 1-28-57 to 7-27-57; not less than 85 cents an hour for the first 280 hours and not less than 90 cents an hour for the remaining 200 hours of the 480-hour learning period, for the occupations of sewing machine operator, final pressing and hand sewing; authorizing the employment of 50 learners for plant expansion purposes (men's and boys' summer suits).

Maderic Mica Co., Rumney, N. H.; effective 1-25-57 to 7-24-57; not less than 80 cents an hour for the first 160 hours and 85 cents an hour for the remaining 160 hours of the 320-hour learning period, for the occupation of mica trimmer; authorizing the employment of five learners for plant expansion purposes (trimmed mica of strategic grade).

Palm Beach Co., Danville, Ky.; effective 2-1-57 to 7-31-57; not less than 85 cents an hour for the first 280 hours and 90 cents an hour for the remaining 200 hours of the 480-hour learning period, for the occupations of sewing machine operator, final presser and sewer; authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes (men's coats).

Studio Quilting Service, 7438 West Harrison Street, Forest Park, Ill.; effective 1-29-57 to 7-28-57; not less than 85 cents an hour for the 240-hour learning period, for the occupation of sewing machine operator; authorizing the employment of two learners for normal labor turnover purposes (quilting service).

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated:

Barry Corp., 263 Carpenter Road (Interior), Hato Rey, P. R.; effective 1-10-57 to 3-16-57; not less than 51 cents an hour for the first 240 hours and 59 cents an hour for the remaining 240 hours of the 480-hour learning period, for the occupation of sewing machine operators; authorizing the employment of 10 learners for supplemental expansion purposes (fabric gloves).

Caribe Aircraft Radio Corp., P. O. Box 578, Coamo, P. R.; effective 1-14-57 to 7-13-57; not less than 65 cents an hour for the first 240 hours and 75 cents an hour for the second 240 hours of the 480-hour learning period, for the occupation of assembly of electronic equipment; authorizing the employment of 50 learners for expansion purposes (electronic equipment).

Fajardo Knitting Mills, Inc., P. O. Box 261, Fajardo, P. R.; effective 12-3-56 to 6-2-57; not less than 58 cents an hour for the first 240 hours and 68 cents for the remaining 240 hours of the 480-hour learning period, for the occupations of hand fashioning knitting and machine operator; not less than 58 cents an hour for the first 160 hours and 68 cents for the remaining 160 hours of the 320-hour learning period, for the occupation of hand finishers; authorizing the employment of 40 learners for expansion purposes (sweaters).

High Fidelity Inc., Mirasol Street, Ponce Playa, P. R.; effective 12-19-56 to 6-18-57; not less than 60 cents an hour for the first 160 hours and 70 cents for the remaining 160 hours of the 320-hour learning period,

for the occupation of press operators; not less than 60 cents an hour for a maximum of 160 hours, for the occupations of spreader, edging and finishing, quality inspector, blenders; not less than 60 cents an hour for the first 240 hours and 70 cents for the remaining 240 hours of the 480-hour learning period, for the occupation of stampers maintenance; authorizing the employment of 18 learners for expansion purposes (phonograph records).

Hilo Manufacturing Corp., P. O. Box 458, Morovis, P. R.; effective 1-14-57 to 7-13-57; not less than 42½ cents an hour for a maximum of 240 hours, for the occupations of winding, ply twisting, ply winding, authorizing the employment of 5 learners for normal labor turnover purposes (yarn).

Island Knitting Mills, Inc., P. O. Box 423, San Lorenzo, P. R.; effective 1-16-57 to 7-15-57; not less than 58 cents an hour for the first 240 hours and 68 cents an hour for the remaining 240 hours of the 480-hour learning periods, for the occupations of loopers, knitters, toppers; not less than 58 cents an hour for the first 160 hours and 68 cents for the remaining 160 hours of the 320-hour learning period, for the occupation of machine stitchers; authorizing the employment of 25 learners for expansion purposes (ladies' full-fashioned sweaters).

Island Rubber Corp., Catano, P. R.; effective 1-14-57 to 7-13-57; not less than 42½ cents an hour for a maximum of 240 hours for the occupations of covering machine operators, yarn winding operators, coning machine operators, doffing; authorizing the employment of 30 learners for expansion purposes (rubber thread and synthetic yarns).

Kirk-Wing Co., P. O. Box 458, Vega Baja, P. R.; effective 1-7-57 to 12-2-57; not less than 75 cents an hour for the first 240 hours and 88 cents for the remaining 240 hours of the 480-hour learning period, for the occupations of screw machine man, plating room man; authorizing the employment of 4 learners for normal turnover purposes (screw machine products, electroplating and anodizing) (replacement certificate).

Knitco Inc., Toa Alta, P. R.; effective 1-1-57 to 6-30-57; not less than 58 cents an hour for the first 240 hours and 68 cents an hour for the remaining 240 hours of the 480-hour learning period, for the occupations of knitters, loopers, toppers, cutters; not less than 58 cents an hour for the first 160 hours and 68 cents for the remaining 160 hours of the 320-hour learning period, for the occupations of machine stitchers, pressers; authorizing the employment of 32 learners for expansion purposes (sweaters).

Pan American Products Corp., Long Building, Matadero Road, Puerto Nuevo, San Juan, P. R.; effective 1-3-57 to 7-2-57; not less than 60 cents an hour for the first 240 hours and 70 cents for the remaining 240 hours of the 480-hour learning period, for the occupations of coiling machine, rounding, circular spring; authorizing the employment of 30 learners for expansion purposes (wire fillers for ventilated cushions).

Rio Manufacturing Corp., State Road 838, Box 23-K, Rio Piedras, P. R.; effective 1-21-57 to 6-2-57; not less than 68 cents an hour for the first 240 hours and 80 cents an hour for the remaining 240 hours of the 480-hour learning period; for the occupations of grinders; crimpers, spotters, silver welders, punch press operators; authorizing the employment of 5 learners for normal labor turnover purposes (fishing tackle hardware).

Stadium Manufacturing Co. of P. R., Inc., P. O. Box 116, Villalba, P. R.; effective 1-21-57 to 7-20-57; not less than 45 cents an hour for the first 240 hours and 50 cents an hour for the remaining 240 hours of the 480-hour learning period, for the occupation of sewing machine operators; authorizing the employment of 25 learners for expansion purposes (men's pajamas).

Testor Balsa Co., Bayamon-Catano Road, Bayamon, P. R.; effective 1-14-57 to 7-13-57; not less than 40 cents an hour for the first 240 hours and 45 cents for the remaining 240 hours of the 480-hour learning period; for the occupations of sanders, double cut off, jigsawyers, slicers, inspectors, table sawyers; authorizing the employment of 10 learners for expansion purposes (virgin balsa wood for the hobby industry).

Each learner certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn in the manner provided in Part 528 and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 1st day of February 1957.

MILTON BROOKE,  
*Authorized Representative  
of the Administrator.*

[F. R. Doc. 57-1081; Filed, Feb. 12, 1957;  
8:46 a. m.]

## DEPARTMENT OF COMMERCE

### Federal Maritime Board

[Docket No. 808]

PACIFIC COAST-HAWAII AND ATLANTIC/  
GULF-HAWAII; GENERAL INCREASE IN  
RATES

NOTICE OF INVESTIGATION AND OF HEARING  
*Correction*

In F. R. Document 57-989, appearing in the issue for Friday, February 8, 1957, at page 797, the Docket No. given as 806 is corrected to read 808 as set forth above.

## CIVIL AERONAUTICS BOARD

[Docket No. 6346 et al.]

REOPENED CHARLESTON, WEST VIRGINIA-  
COLUMBUS, OHIO CASE

NOTICE OF HEARING

In the matter of an investigation of the need for air service between Charleston, W. Va., and Columbus, Ohio.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held on February 19, 1957, at 9:00 a. m., e. s. t., in Room 5132, Department of Commerce Building, Constitution Avenue between Fourteenth and Fifteenth Streets, Northwest, Washington, D. C., before Examiner John A. Cannon.

Dated at Washington, D. C., February 7, 1957.

[SEAL] FRANCIS W. BROWN,  
*Chief Examiner.*

[F. R. Doc. 57-1112; Filed, Feb. 12, 1957;  
8:53 a. m.]

[Docket No. 8179]

AIR SERVICES, INC.

NOTICE OF HEARING

In the matter of Air Services, Inc., enforcement proceeding.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held on February 20, 1957, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Walter W. Bryan.

Dated at Washington, D. C., February 7, 1957.

[SEAL] FRANCIS W. BROWN,  
*Chief Examiner.*

[F. R. Doc. 57-1113; Filed, Feb. 12, 1957;  
8:53 a. m.]

[Docket No. 8040]

TRANSPORTES AEREOS NACIONALES, S. A.

NOTICE OF ORAL ARGUMENT

In the matter of the application of Transportes Aereos Nacionales, S. A., under section 402 of the Civil Aeronautics Act of 1938, as amended, for extension or renewal of its foreign air carrier permit between the coterminal points Tegucigalpa and San Pedro Sula, Honduras; an intermediate point or points in Honduras; the intermediate point Belize, British Honduras; and the terminal point Miami, Florida.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on March 6, 1957, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets, NW., Washington, D. C., before the Board.

Dated at Washington, D. C., February 7, 1957.

[SEAL] FRANCIS W. BROWN,  
*Chief Examiner.*

[F. R. Doc. 57-1114; Filed, Feb. 12, 1957;  
8:53 a. m.]

[Docket No. 7626]

INTRA-MAR SHIPPING CORP., ET AL.  
ENFORCEMENT CASE

NOTICE OF ORAL ARGUMENT

In the matter of Intra-Mar Shipping Corp., Intra-Mar Agency, Inc., Intra-Mar Transport Corp., Intra-Mar Shipping (Colombia Ltda., Ernest R. Binder, Ernest Seiler, and Southern Air Transport, Inc., enforcement proceeding.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 27, 1957, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between

Fourteenth and Fifteenth Streets, NW., Washington, D. C., before the Board.

Dated at Washington, D. C., February 7, 1957.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F. R. Doc. 57-1115; Filed, Feb. 12, 1957; 8:53 a. m.]

[Docket No. 5773 et al.]

**REOPENED BONANZA RENEWAL CASE  
NOTICE OF POSTPONEMENT OF ORAL  
ARGUMENT**

In the matter of the Bonanza Renewal Case as reopened for further hearing.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding now assigned for February 27 has been postponed to March 13, 1957, 10:00 a. m., e. s. t., Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets, NW., Washington, D. C., before the Board.

Dated at Washington, D. C., February 7, 1957.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F. R. Doc. 57-1116; Filed, Feb. 12, 1957; 8:53 a. m.]

**DEPARTMENT OF AGRICULTURE**

**Commodity Credit Corporation**

**SALES OF CERTAIN COMMODITIES**

**FEBRUARY 1957 MONTHLY SALES LIST**

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F. R. 6669) and subject to the conditions stated therein, the commodities listed below are available for sale in the quantities stated and on the price basis set forth. The Commodity Credit Corporation will entertain offers from prospective buyers for the purchase of any such commodity.

Applicable interest rates on sales made in February under the Export Credit Sales Announcement GSM 1 are as follows:

For periods up to and including 6 months, 3½ percent per annum.

For periods over 6 months up to and including 18 months, 4¾ percent per annum.

For periods over 18 months up to and including 36 months, 4¾ percent per annum.

The Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas. Announcements containing the contractual terms and conditions of sale for the respective commodities will be furnished upon request. For ready reference a number of these announcements are identified by code number in the following list. Commodity Credit Corporation also reserves the right to amend, from time to time, any of its announcements, which amendments shall be applicable to and be made a part of the sales contracts thereafter entered into.

**FEBRUARY 1957 MONTHLY SALES LIST**

**NOTICE TO BUYERS**

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer (1) shall be regularly engaged in the business of buying or selling commodities and, for this purpose, shall maintain a bona fide business office in the United States, its territories, or possessions and therein have a person, principal or resident agent, upon whom service or judicial process may be had, and (2) shall submit a financial statement, bank advice, surety bond or other evidence of financial responsibility as may be required by CCC.

Commodity and approximate quantity available (subject to prior sale)	Sales price or method of sale
Dairy Products.....	Domestic: Prices (except for restricted use) apply "in store" <sup>1</sup> at storage locations of products. Domestic: Price for restricted use is basis delivered to delivery point named in offer. CCC will convert to "in store" price by deducting lowest domestic rail freight rate, except that no deduction for freight will be made if the "in store" location and the delivery point named in offer are in the same city. Export: Prices are basis f. a. s. port or f. o. b. point of export. CCC will convert to "in store" price by deducting lowest export rail freight rate. Available through Cincinnati and Portland CSS Commodity Offices for domestic sale for unrestricted use and domestic sale for animal and poultry feed, and through the Livestock and Dairy Division, CSS, USDA, Washington 25, D. C., for other sales.
Butter (in carloads only), as available.	Domestic, unrestricted use: 63.25 cents per pound, New York, New Jersey, Pennsylvania, New England and other States bordering the Atlantic Ocean and Gulf of Mexico. All other States 62.5 cents per pound.
Nonfat dry milk (in carloads only), spray-roller, as available.	Domestic, restricted use: Under Da-111 and supplements. For use as an extender for cocoa butter in the manufacture of chocolate, 39 cents per pound. Export, unrestricted use: Under LD-7. 39 cents per pound. Domestic, unrestricted use: Spray process, U. S. Extra Grade— In barrels and drums—17.0 cents per pound. In bags—16.15 cents per pound. Roller process, U. S. Extra Grade— In barrels and drums—15.25 cents per pound. In bags—14.40 cents per pound.
Cheddar cheese—cheddars, flats, twins, and rindless blocks (standard moisture basis in carloads only) 152 million pounds.	Domestic, restricted use (animal and poultry feed): Delivered under the terms and conditions of Announcement LD-14 and supplements. In barrels and drums—11.5 cents per pound. In bags—10.65 cents per pound.
Cotton linters.....	Export, unrestricted use: Under LD-5 and amendments. Spray process, U. S. Extra Grade— In barrels and drums 9.9 cents per pound. In bags—9.05 cents per pound.
Cotton, upland.....	Roller process, U. S. Extra Grade— In barrels and drums 8.15 cents per pound. In bags—7.55 cents per pound.
Cotton, extra long staple.....	Export, restricted use (animal and poultry feed): Under LD-23 and amendment. Roller process—Competitive bid on not more than 7 million pounds. Bids received each week (by close of business on Friday) will be considered for acceptance on the first business day of the following week.
Peanuts.....	Domestic: 38 cents per pound, for New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic and Pacific Oceans and Gulf of Mexico. All other States 37 cents per pound.
Wool, shorn, 62 million pounds....	Export: Under LD-5 and amendments. 22 cents per pound. Cheese prices are subject to usual adjustments for moisture content.
Wheat, bulk.....	Domestic or export: Competitive bid and under the terms and conditions of Announcement NO-CL-7, as amended, in carlot quantities on an "as is, where is" basis. Catalogs showing quantities, qualities and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office.
	Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-5, as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC.
	Export: Competitive bid and under the terms and conditions of Announcement CN-RX-2 (Revision I) and NO-C-8, as amended.
	Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-6, as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC.
	Export: Competitive bid and under the terms and conditions of Announcement NO-C-6, as amended.
	Catalogs for upland and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office.
	Domestic (for crushing) or export: Competitive bid on limited quantities as may be announced by any of the peanut Cooperative Associations. Domestic sales subject to terms and conditions of CCC Peanut Form 34 (1955). Export sales subject to terms and conditions of CCC Peanut Form 59 (1955) as amended. Available Dallas CSS Commodity Office.
	Domestic or export: Limited quantities (not more than 6¼ million pounds in February) on competitive bid each Tuesday under terms and conditions as announced. Additional quantities at prices basis exwarehouse where stored as determined by the Boston CSS Commodity Office, reflecting not less than 103 percent of the 1954 schedule of loan rates per pound plus an allowance for sales commission, Boston basis, adjusted for net freight on wool stored outside the Boston storage area.
	Domestic: Commercial wheat-producing area: Market price, basis in store, <sup>2</sup> but not less than the 1956 applicable loan rate, plus (1) 33 cents per bushel if received by truck, or (2) 28 cents per bushel if received by rail or barge.
	Examples of the foregoing minimum price per bushel (exrail or barge): Chicago, No. 1 RW \$2.59. Minneapolis, No. 1 DNS \$2.62. Kansas City, No. 1 HW \$2.59.
	Noncommercial wheat-producing area: Market price, basis in store, <sup>2</sup> but not less than 133 percent of applicable 1956 county loan rate plus (1) 33 cents per bushel if received by truck, or (2) 28 cents per bushel if received by rail or barge.
	The minimum price for all spring wheat, including durum, will be basis loan rate point of production; if point of production not determinable, basis Minneapolis.

See footnotes at end of table.

Commodity and approximate quantity available (subject to prior sale)	Sales price or method of sale
Wheat, bulk.....	Export (as wheat): Under Announcement GR-261 revised, as amended, for application to barter contracts only, at prices determined daily, and under Announcement GR-212 revised, as amended, for specific offerings as announced. Disposals under special export program under Announcement GR-345. <sup>1</sup> Available Dallas, Chicago, Minneapolis, Kansas City, and Portland CSS Commodity Offices for domestic or export sale, except under GR-345 at Dallas, Chicago, and Portland only.
Corn, bulk.....	Domestic: Commercial corn-producing area: Market price, basis in store, <sup>2</sup> but not less than the 1956 applicable loan rate basis point of production plus 20 cents per bushel. Examples of the foregoing minimum price per bushel, including average paid-in freight: Chicago, No. 3 yellow, \$1.89. Minneapolis, No. 3 yellow, \$1.80. Kansas City, No. 3 yellow, \$1.88. Portland, No. 3 yellow, \$2.05. Noncommercial corn-producing area: Market price basis in store, <sup>2</sup> but not less than 121 percent of the applicable 1956 loan rate, plus 20 cents per bushel. Available Chicago, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices. Nonstorable corn is also available at the above offices. Export: Competitive bid basis as announced by the Portland and Chicago CSS Commodity Offices.
Oats, bulk.....	Domestic: Market price, basis in store, <sup>2</sup> but not less than the 1956 applicable loan rate basis point of production plus 15 cents per bushel. Examples of the foregoing minimum price per bushel including average paid-in freight: Chicago, No. 3 oats or better, \$0.93. Minneapolis, No. 3 oats or better, \$0.88. Available Minneapolis, Chicago, Kansas City, Portland, and Dallas CSS Commodity Offices. Export: Competitive bid as announced by the Chicago, Portland, and Dallas CSS Commodity Offices. <sup>1</sup>
Barley, bulk.....	Domestic: Market price basis in store, <sup>2</sup> but not less than the 1956 applicable loan rate plus (1) 24 cents per bushel if received by truck, or (2) 21 cents per bushel if received by rail or barge. Example of the foregoing minimum price per bushel (exrail or barge): Minneapolis No. 2 barley, \$1.45. Available Minneapolis, Chicago, Kansas City, Portland, and Dallas CSS Commodity Offices. Export: Competitive bid as announced by the Chicago and Portland CSS Commodity Offices. <sup>1</sup>
Rye, bulk.....	Domestic: Market price, basis in store, <sup>2</sup> but not less than the 1956 applicable loan rate, plus (1) 28 cents per bushel if received by truck, or (2) 23 cents per bushel if received by rail or barge. Example of the foregoing minimum price per bushel (exrail or barge): Minneapolis No. 2 or better, \$1.73. Available Minneapolis, Chicago, Kansas City, Portland, and Dallas CSS Commodity Offices. Export: Competitive bid as announced by the Chicago and Portland CSS Commodity Offices. <sup>1</sup>
Grain sorghums, bulk.....	Domestic: Market price, basis in store, <sup>2</sup> but not less than the 1956 applicable loan rate plus (1) 48 cents per cwt. if received by truck, or (2) 39 cents per cwt. if received by rail or barge. Example of the foregoing minimum price per cwt. (exrail or barge): Kansas City No. 2 or better, \$2.81. Available Dallas, Portland, and Kansas City CSS Commodity Offices. Export: Competitive bid as announced by Dallas and Portland CSS Commodity Offices. <sup>1</sup>
Rice, milled (as available).....	Domestic: For feed, other brokens: Competitive bid under DL-BR-1/56 as announced by Dallas CSS Commodity Office. Unrestricted use and for export, other brokens: Competitive bid under DL-BR-1/56. (Minimum price, \$6.01 per cwt. in sacks, \$5.86 bulk) as announced by Dallas CSS Commodity Office. Special export: Competitive bid on U. S. No. 5 or better under DL-MR-400 as announced by Dallas CSS Commodity Office. <sup>1</sup> Special export on "as is" basis: Competitive bid under terms and conditions of DL-MR-53 as announced by Dallas CSS Commodity Office.
Gum rosin (in galvanized metal drums averaging 517 pounds net).	Domestic or export: Offer and acceptance, "as is" in the stated quantities on the designated storage yards, subject to the prices, terms and conditions of Announcement TB-21 (revised) and supplements issued not more often than weekly by the American Turpentine Farmers' Association Cooperative, Valdosta, Ga. Special export: Competitive bid for not to exceed 49,000 drums of rosin "as is", in storage, subject to Announcement TB-21 (revised) and supplements thereto.
Gum turpentine (bulk in tanks).....	Domestic or export: Offer and acceptance, "as is" in the stated quantities in the designated storage tanks, subject to the prices, terms and conditions of Announcement TB-21 (revised) and supplements issued not more often than weekly by the American Turpentine Farmers' Association Cooperative, Valdosta, Ga.

<sup>1</sup> At the processor's plant or warehouse but with any prepaid storage and outbanding charges for the benefit of the buyer.

<sup>2</sup> In those counties in which grain is stored in CCC bin sites, delivery will be made f. o. b. buyer's conveyance at bin site without additional cost; sales will also be made in store approved warehouses in such county and adjacent counties at the same price, provided the buyer makes arrangements with the warehousemen for storage documents.

<sup>3</sup> Sales of grains other than wheat made under Title I, Public Law 480, may be made on terms and conditions of GR-301 revised. Other commodities under the announcement indicated.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U. S. C. 1427; sec. 208, 63 Stat. 901)

Issued: February 7, 1957.

[SEAL]

CLARENCE L. MILLER,  
Acting Executive Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 57-1091; Filed, Feb. 12, 1957; 8:48 a. m.]

## COMMITTEE FOR RECIPROCITY INFORMATION

CONSULTATIONS WITH CERTAIN CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE REGARDING QUANTITATIVE RESTRICTIONS ON IMPORTS FOR BALANCE-OF-PAYMENTS REASONS IMPOSED UNDER ARTICLE XII OF THE GENERAL AGREEMENT

SUBMISSION OF INFORMATION TO THE COMMITTEE FOR RECIPROCITY INFORMATION

Closing date for submission of written statements: March 29, 1957 regarding certain contracting parties, and July 31, 1957 regarding certain other contracting parties.

The Contracting Parties to the General Agreement on Tariffs and Trade intend to enter into consultations with certain contracting parties to the General Agreement which are applying import restrictions under Article XII of said Agreement (61 Stat. (pt. 5) A34). Article XII relates to the use by a contracting party of quantitative import restrictions to safeguard its external financial position and balance-of-payments, but these restrictions must be progressively relaxed as conditions improve and must be eliminated altogether when conditions no longer justify their use.

The consultations, to be conducted in Geneva, will begin in June 1957 with the following contracting parties: Sweden, Denmark, Italy, Kingdom of the Netherlands, Norway, Greece, Austria, Germany, and France, and in October 1957 with the following contracting parties: Turkey, Finland, Brazil, Australia, Union of South Africa, Japan, United Kingdom, Federation of Rhodesia and Nyasaland, Ceylon, Pakistan and New Zealand. Such consultations will take place separately with each contracting party.

The consultations will afford the opportunity for the contracting parties to review with each consulting contracting party its financial situation and, in this context, to discuss the possibilities for further relaxation of the level of import restrictions and the moderation of particular policies and practices that have proved especially burdensome for the exporters of other countries. The discussions will cover four principal topics: (1) The present and prospective foreign exchange position of the country; (2) The means that might be used to correct the country's foreign exchange difficulties and make it possible to relax or eliminate its import restrictions; (3) the country's system of import restrictions and its administration; (4) the effects of the country's import restrictions on the trade of other countries and on its own industries (which are incidentally afforded protection by the restrictions maintained for foreign exchange reasons).

American traders, business firms, labor organizations and other individuals or associations which have an interest in export trade to one or more of the con-

sulting countries may, as a result of their own experience, have information pertinent to topics 3 and 4 above, that will be useful to the United States Government. Accordingly, the United States Government desires to supplement its preparations for the consultations by obtaining information and views from interested persons relevant to the matters covered in topics 3 and 4.

The following list includes examples of the type of information that interested persons may wish to furnish in response to this invitation:

1. Information indicating discrimination in the treatment of goods available from the United States as compared with the treatment afforded similar goods from other countries with convertible currencies;

2. Information indicating that trade is being restrained by complex or arbitrary licensing procedures or lack of adequate information available to traders regarding import regulations;

3. Information indicating that reasonable access to a traditional foreign market has not been restored for a particular commodity even though the country concerned has substantially relaxed its restrictions on imports in general;

4. Information indicating that the long-standing application of import restrictions by a country on a particular product has been accompanied by the growth of uneconomic output of that product within the country;

5. Information indicating that loss of foreign markets as a result of import restrictions has been responsible for a contraction of production or employment in an industry in the United States.

In order to enable adequate consideration of views and information submitted, it is requested that all responses be submitted by March 29, 1957 regarding those countries expected to consult in June, 1957 and by July 31, 1957 for those consulting in October, 1957. Any additional information coming to the attention of the trade after these dates may be submitted to the Committee and it will be considered to the extent time permits.

All communications on this matter, in fifteen copies, should be addressed to: The Secretary, Committee for Reciprocity Information, Tariff Commission Building, Washington, D. C. Views may be submitted in confidence, if desired. If any interested party considers that his views cannot be adequately expressed to the Committee for Reciprocity Information in a written statement, consideration will be given to a request for oral presentation before the Committee for Reciprocity Information.

By direction of the Committee for Reciprocity Information this 12th day of February 1957.

EDWARD YARDLEY,  
Secretary, Committee for  
Reciprocity Information.

[F. R. Doc. 57-1175; Filed, Feb. 12, 1957; 12:01 p. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-9281]

WESTERN NATURAL GAS CO.

ORDER CONVENING HEARING

By its order issued in this proceeding on January 27, 1956, the Commission instituted an investigation of respondent, Western Natural Gas Company, under the provisions of the Natural Gas Act to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by respondent, any of the rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential. In its said order, the Commission provided that a hearing be held in this proceeding upon a date to be fixed by further order.

This proceeding is one of sixteen complaint cases simultaneously filed under the provisions of section 5 (a) of the Natural Gas Act. In each such proceeding, by order issued January 27, 1956, the Commission initiated a general investigation of the jurisdictional rates of respondent.

Actual field investigations in these cases have been commenced by the staff. To aid in expediting and supplementing these investigations, some of the respondents in these sixteen proceedings, including respondent here, entered into a cooperative effort at the suggestion of the staff to brief and analyze all independent producer rate schedules on file with the Commission through June 30, 1956, covering all areas in the United States, except the Appalachian area, where the coverage will be representative but not complete. The objective of this cooperative effort is to make field-price data available for verification and sponsorship by the staff and other parties in interest.

The task of compiling such data has been under way for some time, but its proportions are such as to make it now appear that it cannot be concluded until around April 1, 1957. It is manifestly desirable that these data be available to all parties, including the staff, before the staff completes its presentation in this case. It is likewise desirable that all of these cases go forward as expeditiously as circumstances permit. Since the status of the staff investigation here will permit it, we have, therefore, determined to order the commencement of hearings in this proceeding at this time to enable the staff to present its evidence with respect to cost of service and to form and level of rates, and to permit cross-examination with respect thereto. Further hearings to afford the staff an opportunity to present field-price evidence and to afford respondent and other parties hereto an opportunity to present evidence shall be deferred pending further order of the Commission.

The Commission orders:

(A) A public hearing be held on March 11, 1957, at 10 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C. concerning the matters involved and the issues presented in this proceeding as more particularly set forth in the Commission's order instituting investigation herein issued on January 27, 1956.

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

Issued: February 6, 1957.

By the Commission.

[SEAL]

J. H. GUTRIDE,  
Secretary.

[F. R. Doc. 57-1082; Filed, Feb. 12, 1957; 8:47 a. m.]

[Docket No. G-9291 etc.]

SINCLAIR OIL & GAS CO. ET AL.

ORDER AMENDING ORDER INSTITUTING INVESTIGATION, CONSOLIDATING PROCEEDINGS, AND FIXING DATE OF HEARING

In the matters of Sinclair Oil & Gas Company, et al., Docket Nos. G-9291 and G-9292; Sinclair Oil & Gas Company, et al., Docket Nos. G-9716, G-9717, G-9718, G-10011, G-10293, G-11343, G-11344, and G-11345.

By order issued January 27, 1956, in the proceedings in Docket Nos. G-9291 and G-9292, the Commission instituted an investigation of Sinclair Oil & Gas Company (Sinclair) for the purpose of enabling the Commission to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by the respondent, Sinclair, any of the rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential. The said order of January 27, 1956, provided, inter alia, that a public hearing be held in these proceedings upon a date to be fixed by further order of the Commission.

The proceedings in Docket Nos. G-9291 and G-9292 are included in the sixteen complaint cases simultaneously filed under the provisions of section 5 (a) of the Natural Gas Act. In each such proceeding, by order issued January 27, 1956, the Commission initiated a general investigation of the jurisdictional rates of respondent.

Actual field investigations in these cases have been commenced by the staff. To aid in expediting and supplementing these investigations, some of the respondents in these sixteen proceedings, including respondent here, entered into a cooperative effort at the suggestion of the staff to brief and analyze all independent producer rate schedules on file with the Commission through June 30,

1956, covering all areas in the United States, except the Appalachian area, where the coverage will be representative but not complete. The objective of this cooperative effort is to make field-price data available for verification and sponsorship by the staff and other parties in interest.

The task of compiling such data has been under way for some time, but its proportions are such as to make it now appear that it cannot be concluded until around April 1, 1957. It is manifestly desirable that these data be available to all parties, including the staff, before the staff completes its presentation in this case. It is likewise desirable that all of these cases go forward as expeditiously as circumstances permit. Since the status of the staff investigation here will permit it, we have, therefore, determined to order the commencement of hearings in this proceeding at this time to enable the staff to present its evidence with respect to cost of service and to form and level of rates and to permit cross-examination with respect thereto. Further hearings to afford the staff an opportunity to present field-price evidence and to afford respondent and other parties hereto an opportunity to present evidence shall be deferred pending further order of the Commission.

The Commission's records show that certain gas rate schedules on file with the Commission, namely, Sinclair, et al., FPC Gas Rate Schedule Nos. 60 through 75 and 82, are filed on behalf of four co-owner independent producers, Sinclair, H. D. S. Eastern Corporation, Alban Oil & Gas Corporation, and Fifty-First Street Associates, Inc., each of which is a signatory to each of said rate schedules.

In each of the eight other proceedings hereinabove designated<sup>1</sup> the Commission has heretofore issued its order suspending proposed increases in rates and charges for sales of natural gas in interstate commerce by either Sinclair or Sinclair, et al.,<sup>2</sup> for resale. The sales and deliveries of gas involved in the eight designated suspension dockets are made to Frank C. Henderson Trust No. 2, Elizabeth P. Henderson Trust No. 2, Natural Gas Pipeline Company of America, Phillips Petroleum Company, and Texas Eastern Transmission Corporation. Such sales and deliveries of gas by Sinclair and Sinclair, et al., embrace questions of law and fact interrelated with those inherent in the matters involved and the issues presented in the proceedings in Docket Nos. G-9291 and G-9292.

The Commission finds:

(1) It is appropriate in the premises, in order to effectuate the purposes of the Natural Gas Act and to aid in the enforcement of the provisions thereof, that the order instituting investigation of respondent, Sinclair Oil & Gas Company,

<sup>1</sup> Docket Nos. G-9716, G-9717, G-9718, G-10011, G-10293, G-11343, G-11344, and G-11345.

<sup>2</sup> H. D. S. Eastern Corporation, Alban Oil & Gas Corporation, and Fifty-First Street Associates, Inc.

issued in the proceedings in Docket Nos. G-9291 and G-9292 on January 27, 1956, be amended to include as respondents those signatory party sellers heretofore designated who participate as co-owners with Sinclair in sales of natural gas in interstate commerce for resale.

(2) It is appropriate and in the public interest in carrying out the provisions of the Natural Gas Act and good cause exists to consolidate all of the above-designated proceedings for the purpose of hearing.

The Commission orders:

(A) Paragraphs (A) and (B) of the Order Instituting Investigation in the proceedings in Docket Nos. G-9291 and G-9292, issued on January 27, 1956, be and the same are hereby amended to read as follows:

(A) An investigation of respondents, Sinclair Oil & Gas Company, H. D. S. Eastern Corporation, Alban Oil & Gas Corporation, and Fifty-First Street Associates, Inc., be and it hereby is instituted under the provisions of the Natural Gas Act for the purpose of enabling the Commission to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by such respondents, any of the rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential.

(B) If the Commission, after a hearing has been had, shall find that any of the respondents' rates, charges, classifications, rules, regulations, practices, or contracts, subject to the jurisdiction of the Commission, are unjust, unreasonable, unduly discriminatory, or preferential, the Commission will thereupon determine and fix by order or orders just and reasonable rates, charges, classifications, rules, regulations, practices, or contracts to be thereafter observed and in force.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, including, particularly, sections 4, 5, 14, 15, and 16 thereof, and the Commission's rules and regulations (18 CFR Chapter I), the proceedings in the above-designated Docket Nos. G-9291, G-9292, G-9716, G-9717, G-9718, G-10011, G-10293, G-11343, G-11344, and G-11345 be and the same hereby are consolidated for the purpose of hearing.

(C) A public hearing be held commencing February 25, 1957, at 10 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street, NW., Washington, D. C., concerning the matters involved and the issues presented in the consolidated proceedings designated in paragraph (B) above.

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

Issued: February 6, 1957.

By the Commission.

[SEAL]

J. H. GUTRIDE,  
Secretary.

[F. R. Doc. 57-1083; Filed, Feb. 12, 1957; 8:47 a. m.]

[Docket Nos. G-11277, G-1188 and G-1661]

TENNESSEE GAS TRANSMISSION Co.

NOTICE OF MOTION TO AMEND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND DATE OF HEARING

FEBRUARY 6, 1957.

Take notice that Tennessee Gas Transmission Company (Tennessee) a Delaware corporation with its principal place of business at Commerce Building, Houston, Texas, on October 23, 1956 filed an application for a certificate of public convenience and necessity seeking authorization to increase the volume deliverable to the municipality of Holly Springs, Mississippi. Although the application was filed and has been designated as an original application, in conformity with its title, as docket No. G-11277,<sup>1</sup> it is, in effect, a motion to amend the authorizations heretofore granted by the Commission and it is being so treated and handled.

Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7, 15 and 16 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on the 28th day of February 1957, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application; *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 18, 1957. Failure of any party to appear at and participate in the hearing shall be deemed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE,  
Secretary.

[F. R. Doc. 57-1084; Filed, Feb. 12, 1957; 8:47 a. m.]

[Docket Nos. G-10426, G-10446]

PACIFIC NORTHWEST PIPELINE CORP. AND MOUNTAIN FUEL SUPPLY Co.

NOTICE OF CONTINUANCE OF HEARING

FEBRUARY 6, 1957.

Upon consideration of the motion filed February 5, 1957 by Pacific Northwest Pipeline Corporation for continuance of the hearing now scheduled for February 12, 1957 in the above-designated matters;

<sup>1</sup> Notice of application as an original application was published in the FEDERAL REGISTER (21 F. R. 10321) on December 22, 1956.



Notice is hereby given that the hearing in these matters is postponed to commence at 10 a. m., e. s. t., April 15, 1957, in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

[SEAL]

J. H. GUTRIDE,  
Secretary.

[F. R. Doc. 57-1096; Filed, Feb. 12, 1957;  
8:50 a. m.]

[Docket No. G-11907]

TIDEWATER OIL Co.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Tidewater Oil Company (Tidewater) on January 16, 1957, tendered for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated January 14, 1957.

Purchaser: Texas Gas Transmission Corporation.

Rate schedule designation: Supplement No. 9 to Tidewater's FPC Gas Rate Schedule No. 37.

Effective date: <sup>1</sup> February 15, 1957.

In support of the proposed increase, Tidewater states that the contract was negotiated after arms length bargaining and that the favored nations provision contained within the contract protects the seller who executes a long term contract by enabling the seller to receive the benefit of any increase in the commodity value of his gas reserves during the term of the contract.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders: (A) Pursuant to the authority contained in section 4 and 15 of the Natural Gas Act and the Commission's rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until July 16, 1957, and until such further time as it is made effective in the manner presented by the Natural Gas Act.

<sup>1</sup> The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Tidewater, if later.

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

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

Issued: February 7, 1957.

By the Commission:

[SEAL]

J. H. GUTRIDE,  
Secretary.

[F. R. Doc. 57-1097; Filed, Feb. 12, 1957;  
8:50 a. m.]

[Docket No. G-11906]

HASSIE HUNT TRUST

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Hassie Hunt Trust (Hunt) on January 11, 1957 tendered for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.  
Purchaser: Texas Gas Transmission Corporation.

Rate schedule designation: Supplement No. 5 to Hunt's FPC Gas Rate Schedule No. 8.

Effective date: <sup>1</sup> February 15, 1957.

In support of the proposed increase, Hunt states that the contract is an entirety and the various provisions regarding price provide for only one complete payment for all of the gas intended to be delivered. Hunt further states that the contract was negotiated after arms length bargaining, and that the favored nations provision contained within the contract protects the seller who executes a long term contract by enabling a seller to receive the benefit of any increase in the commodity value of his gas reserves during the term of the contract.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders: (A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's rules and regulations (18 CFR, Chapter I) a public hearing be held

<sup>1</sup> The stated effective date is the first day after expiration of the thirty days notice, or the effective date proposed by Hunt, if later.

upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until July 15, 1957, and until such further time as it is made effective in the manner presented by the Natural Gas Act.

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

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

Issued: February 7, 1957.

By the Commission.

[SEAL]

J. H. GUTRIDE,  
Secretary.

[F. R. Doc. 57-1098; Filed, Feb. 12, 1957;  
8:50 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

DIRECTOR, ADMINISTRATIVE MANAGEMENT, REGION II (PHILADELPHIA)

REDELEGATION OF AUTHORITY TO EXECUTE LEGENDS ON BONDS, NOTES AND OTHER OBLIGATIONS

The Director, Administrative Management, Region II, Philadelphia, Housing and Home Finance Agency, is hereby authorized within such Region to execute, on behalf of the Housing and Home Finance Administrator, in instances where necessary or appropriate, any legend appearing on any bond, note or other obligation being acquired by the Federal Government from a local public agency on account of a loan to such local public agency pursuant to Title I of the Housing Act of 1949, as amended (63 Stat. 414-421, as amended, 42 U. S. C., 1952 ed. and Sup. I 1450-1460), which legend indicates the Federal Government's acceptance of the delivery of the particular bond, note or other obligation and its payment therefor on the date specified in the particular legend.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); Reorg. Order 1, 19 F. R. 9303-5 (Dec. 29, 1954); 62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U. S. C., 1952 ed. 1701c; Delegation of Authority, 20 F. R. 556 (Jan. 25, 1955))

This delegation supersedes the delegation effective February 15, 1955 (20 F. R. 1231, February 26, 1955).

Effective as of the 30th day of December 1956.

[SEAL]

DAVID M. WALKER,  
Regional Administrator,  
Region II.

[F. R. Doc. 57-1106; Filed, Feb. 12, 1957;  
8:52 a. m.]



Walnut St., Crawfordsville, Ind. Applicant's representative: Ferdinand Born, 708 Chamber of Commerce Bldg., Indianapolis 4, Ind. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Terre Haute, Ind., and Fairbanks, Ind., from Terre Haute over Indiana Highway 63 to Fairbanks, and return over the same route, serving the plant site of the Indiana-Michigan Electric Company located west of Fairbanks, Ind., and the properties of the Ayrshire Collieries Corporation located in Curry Township of Sullivan County, Ind., as off-route points. Applicant is authorized to transport similar commodities in Indiana.

**HEARING:** February 26, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Joint Board No. 72.

No. MC 20793 (Sub No. 25), filed January 28, 1957, WAGNER TRUCKING CO., INC., Jobstown, N. J. Applicant's representative: G. Donald Bullock, Box 146, Wyncote, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Brick*, from Richland Township, Bucks County, Pa., to points in Connecticut on and west of U. S. Highway 5. Applicant is authorized to conduct operations in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia.

**HEARING:** April 2, 1957, at 346 Broadway, New York, N. Y., before Examiner Charles H. Riegner.

No. MC 20894 (Sub No. 1) filed January 14, 1957, P. CALLAHAN, INC., 2126 E. Tioga Street, Philadelphia 34, Pa. Applicant's representative: Thomas C. Egan, 1224-32 Philadelphia National Bank Bldg., Philadelphia 7, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between the site of the plant of Atlantis Sales Corporation and R. T. French Company in Souderton, Montgomery County, Pa., on the one hand, and, on the other, points in New Jersey and those in the New York, N. Y., Commercial Zone, as defined by the Commission. Applicant is authorized to conduct operations in New Jersey and Pennsylvania.

**HEARING:** April 4, 1957, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Charles H. Riegner.

No. MC 24115 (Sub No. 7), filed January 11, 1957, D. H. KESSMAN, Box 95, Hamel, Ill. Applicant's representative: Mack Stephenson, 208 East Adams St., Springfield, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Danville, Ill., to points in Indiana, Michigan, and Ohio.

Applicant is authorized to transport the same commodity from points within 2 miles of Alton, Ill. (not including Alton), to Terre Haute and Indianapolis, Ind., Bettendorf, Iowa, and St. Louis, Mo.

**HEARING:** March 25, 1957, at the U. S. Court Rooms and Federal Bldg., Springfield, Ill., before Examiner Mack Myers. No. MC 28439 (Sub No. 72), filed January 7, 1957, DAILY MOTOR EXPRESS, INC., Pitt & Penn Streets, Carlisle, Pa. Applicant's representative: James E. Wilson, Continental Building, Fourteenth at K Northwest, Washington 5, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Blowers, compressors, condensers, drilling machines, and power units*, from Athens, Pa., Phillipsburg, N. J., and Painted Post, N. Y., to points in the United States.

**HEARING:** March 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner T. Kinsey Carpenter.

No. MC 29566 (Sub No. 47), filed January 28, 1957, SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meats, meat products and meat by-products*, as defined by the Commission, from Wichita, Kans., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia. Applicant is authorized to transport the commodities specified in Arkansas and Iowa.

**HEARING:** April 2, 1957, at the Hotel Lassen, Wichita, Kans., before Examiner Mack Myers.

No. MC 29647 (Sub No. 21), filed January 24, 1957, CHARLTON BROS. TRANSPORTATION COMPANY, INC., 552 Jefferson St., P. O. Box 1097, Hagerstown, Md. Applicant's representative: Spencer T. Money, Mills Bldg., Washington, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Fire brick*, on pallets, *fire brick, loose, fire clay*, in sacks, on pallets, *high temperature bonding mortar*, in sacks or drums, on pallets, *plastic fire brick*, in cartons, on pallets, from Jennings, Md., to Chester, Columbia, Fairless, Manheim, Morrisville, Phoenixville and Royersford, Pa., Claymont and Wilmington, Del., and *empty containers or other such incidental facilities* (not specified) used in transporting the specified commodities on return. Applicant is authorized to conduct operations in Maryland, West Virginia, and Pennsylvania.

**HEARING:** March 15, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 199.

No. MC 30091 (Sub No. 37), filed January 13, 1957, L. F. MILLER AND F. D. MILLER, Partnership, doing business as MILLER & MILLER MOTOR FREIGHT LINES, 501 Indiana Avenue, (P. O. Box 2370), Wichita Falls, Tex. Applicant's representative: Herbert L. Smith, Perry-Brooks Bldg., Austin 1, Tex. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities including Class A and B explosives*, and except commodities of unusual value, household goods as de-

finied by the Commission, commodities in bulk and those requiring special equipment, between Hereford, Tex., and Denver, Colo.: from Hereford over Texas Highway 51 to junction with U. S. Highway 87 at or near Hartley, Tex., and thence over U. S. Highway 87 to Denver, and return over the same route, serving the intermediate points of Raton, N. Mex., and Trinidad, Walsenburg, Pueblo and Colorado Springs, Colo. Applicant is authorized to transport similar commodities in Texas and Oklahoma.

**HEARING:** April 1, 1957, at the Baker Hotel, Dallas, Tex., before Joint Board No. 89. It is contemplated that continued hearings will be held at Plainview or Lubbock, Tex., and at Denver, Colo., upon the completion of the taking of testimony at Dallas.

No. MC 30451 (Sub No. 15), filed January 16, 1957, THE LUPER TRANSPORTATION COMPANY, a corporation, 404 East 21st Street, Wichita, Kans. Applicant's representative: James F. Miller, 500 Board of Trade Building, 10th & Wyandotte, Kansas City 5, Mo. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Meats, meat products, and meat by-products*, and *articles distributed by meat-packing houses*, as defined by the Commission, from Wichita, Kans., to Alexandria, Shreveport, and New Orleans, La., and points in the Alexandria, Shreveport, and New Orleans, La., Commercial Zones, as defined by the Commission, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application on return. Applicant is authorized to conduct operations in Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Tennessee, and Texas.

**NOTE:** Applicant has irregular route authority in Docket No. MC 30451 (Sub No. 13), dated December 23, 1953, to transport Meats, meat products, and meat by-products, dairy products, and articles distributed by packing houses, from Wichita, Kans., to points in Louisiana, except those in the Alexandria, Shreveport, and New Orleans Commercial Zones, as defined by the Commission. Duplication with present authority to be eliminated.

**HEARING:** April 1, 1957, at the Hotel Lassen, Wichita, Kans., before Examiner Mack Myers.

No. MC 30837 (Sub No. 212), filed December 13, 1956, KENOSHA AUTO TRANSPORT CORPORATION, 4519-76th Street, Kenosha, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Motor truck seat cabs*, from Springfield, Ohio, to Oshkosh, Wis. Applicant is authorized to conduct operations in Illinois and Indiana.

**HEARING:** March 25, 1957, in Room 852, U. S. Custom House, 610 South Canal St., Chicago, Ill., before Examiner Edward Kobernusz.

No. MC 31600 (Sub No. 416), filed January 14, 1957, P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. Applicant's representative: H. C. Ames, Jr., 216 Transportation Bldg., Washington, D. C. For authority to operate as a *common carrier*,

over irregular routes, transporting: *Synthetic latex*, in bulk, in tank vehicles, from Cambridge, Mass., to Chicago, Ill. Applicant is authorized to conduct operations in Massachusetts, New York, and Pennsylvania.

**HEARING:** March 22, 1957, at the New Post Office & Court House Bldg., Boston, Mass., before Examiner Charles H. Riegner.

No. MC 37716 (Sub No. 16), filed December 11, 1956, THE C & D MOTOR DELIVERY COMPANY, 1035 Flint Street, Cincinnati 14, Ohio. Applicant's representative: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Cincinnati, Ohio and St. Louis, Mo., from Cincinnati over applicant's authorized regular routes to Brownstown, Ind., thence over U. S. Highway 50 to St. Louis, and return over the same route, serving no intermediate points; (2) between Indianapolis, Ind., and Decatur, Ill., from Indianapolis over U. S. Highway 36 to junction U. S. Highway 150, thence over applicant's authorized regular routes to Decatur, and return over the same route, serving no intermediate points; (3) between Indianapolis, Ind., and Peoria, Ill., from Indianapolis over U. S. Highway 136 to junction U. S. Highway 150, thence over U. S. Highway 150 to Morton, Ill., thence over applicant's authorized regular routes to Peoria, and return over the same route, serving no intermediate points; (4) between Louisville, Ky., and Decatur, Ill., from Louisville over U. S. Highway 150 to junction U. S. Highway 50, thence over U. S. Highway 50 to Flora, Ill., thence over U. S. Highway 45 to Effingham, Ill., thence over Illinois Highway 32 to Sullivan, Ill., thence over Illinois Highway 121 to Decatur, and return over the same route, serving no intermediate points; (5) between Louisville, Ky., and Ashland, Ky., from Louisville over U. S. Highway 60 to Frankfort, Ky., thence over U. S. Highway 421 to Lexington, Ky., thence over U. S. Highway 60 to Ashland, and return over the same route, serving no intermediate points; (6) between Charleston, W. Va., and Dayton, Ohio, from Charleston over West Virginia Highway 17 to junction West Virginia Highway 2, thence over West Virginia Highway 2 to Point Pleasant, W. Va., thence over U. S. Highway 35 to Xenia, Ohio, thence over applicant's authorized regular routes to Dayton, and return over the same route, serving no intermediate points; and (7) between Cincinnati, Ohio and Chattanooga, Tenn., from Cincinnati over U. S. Highway 27 to junction U. S. Highway 70, thence over applicant's authorized regular routes to Chattanooga, and return over the same route, serving no intermediate points. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Missouri, Ohio, Tennessee, and West Virginia.

**NOTE:** Duplicating authority to be eliminated.

**HEARING:** April 8, 1957, in Room 255, New Post Office Bldg., Columbus, Ohio, before Examiner Mack Myers.

No. MC 50404 (Sub No. 50), filed January 7, 1957, THE MAXWELL CO., 2200 Glendale-Milford Road, P. O. Box 37, Cincinnati, Ohio. Applicant's representative: Herbert Baker, 50 West Broad St., Columbus 15, Ohio. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Lacquer thinner*, in bulk, in tank vehicles, between points in Greene County, Ohio, on the one hand, and, on the other, points in Delaware and Madison Counties, Ind. Applicant is authorized to transport similar commodities in Indiana and Ohio.

**HEARING:** April 1, 1957, in Room 255, New Post Office Bldg., Columbus, Ohio, before Joint Board No. 60.

No. MC 50404 (Sub No. 51), filed January 7, 1957, THE MAXWELL CO., 2200 Glendale-Milford Road, Cincinnati, Ohio. Applicant's representative: Herbert Baker, 50 West Broad St., Columbus 15, Ohio. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Resin Plasticizers*, in bulk, in tank vehicles, from Akron, Ohio to points in Clark and Floyd Counties, Ind., and Jefferson County, Ky.

**HEARING:** April 1, 1957, in Room 255, New Post Office Bldg., Columbus, Ohio, before Joint Board No. 208.

No. MC 52657 (Sub No. 498), filed January 30, 1957, ARCO AUTO CARRIERS, INC., 91st Street and Perry Avenue, Chicago 20, Ill. Applicant's representative: G. W. Stephens, 121 W. Doty Street, Madison, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Motor vehicles*, passenger and/or freight, in initial truckaway and driveaway service when moving on U. S. Government Bills of Lading or on commercial bills of lading to be converted to U. S. Government Bills of Lading, from North Tarrytown, N. Y., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

**HEARING:** March 22, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner William T. Croft.

No. MC 52858 (Sub No. 58), filed January 9, 1957, CONVOY COMPANY, 3900 N. W. Yeon Ave., Portland 10, Ore. Applicant's representative: Marvin Handler, 465 California St., San Francisco 4, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Cable reel trailers, pole trailers, logging trailers, reel winders, wire stringers, logging dollies, pole dollies and reel dollies*, set up and uncrated, and *parts and accessories thereof* when moving with such shipments, from points in King and Snohomish Counties, Wash., to points in the United States and the

Territory of Alaska; (2) *Truck bodies, and parts and accessories thereof* when moving therewith, from Seattle, Wash., to points in the United States (except points in Oregon, Washington, Idaho and Montana) and the Territory of Alaska, and *damaged shipments* of the above commodities on return, and *returned shipments* of the above commodities when returned to factory for repair. Applicant is authorized to transport similar commodities in Oregon, Washington, Idaho, and Montana.

**HEARING:** March 27, 1957, in Room 400, U. S. Court House, 5th & Madison Sts., Seattle, Wash., before Examiner Harold W. Angle.

No. MC 52858 (Sub No. 59), filed January 10, 1957, CONVOY COMPANY, 3900 N. W. Yeon Avenue, Portland 10, Ore. Applicant's representative: Marvin Handler, 465 California St., San Francisco 4, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Electrically powered industrial carts and trucks, electrically powered golf carts, golf cart trailers, wind burning machine trailers, and trailers, and parts and accessories thereof* when they accompany shipments thereof, from points in Clatsop County, Ore., to points in the United States, and *damaged shipments* of the above commodities on return, and *returned shipments* of above commodities for repair. Applicant is authorized to transport trailers in Oregon, Washington, Idaho, Montana, and California.

**HEARING:** March 26, 1957, at 538 Pittock Block, Portland, Ore., before Examiner Harold W. Angle.

No. MC 60229 (Sub No. 4), filed December 26, 1956, FERACO, INC., 1131-35 West Dauphin St., Philadelphia 33, Pa. Applicant's representative: Jacob Polin, 314 Old Lancaster Road, Merion, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Dry bulk commodities*, in dump vehicles, between points in New Jersey, Delaware, Maryland, the District of Columbia, and that part of Pennsylvania in and south and east of Wayne, Susquehanna, Bradford, Sullivan, Lycoming, Clinton, Centre, Mifflin, Juniata, Perry and Franklin Counties, Pa.

**HEARING:** April 5, 1957, at the Penn Sherwood Hotel, 3900 Chestnut St., Philadelphia, Pa., before Examiner Charles H. Riegner.

No. MC 63562 (Sub No. 26), filed November 13, 1956, NORTHERN PACIFIC TRANSPORT COMPANY, 176 East Fifth St., St. Paul 1, Minn. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Missoula, Mont., and Portland, Ore., from Missoula over U. S. Highway 10 to Seattle, Wash., thence over U. S. Highway 99 to Portland, and return over the same route, serving all intermediate points, except Huron and Alberton, Mont., Osburn, Kellogg, Smeltonville and Cotaldo, Idaho, Opportunity, Dishman and Moses Lake, Wash.; (2) between Missoula,

Mont., and Portland, Oreg., from Missoula over U. S. Highway 10 to the junction of U. S. Highway 10A, thence over U. S. Highway 10A to the junction of Idaho Highway 53, thence over Idaho Highway 53 to the junction of Washington Highway 2H, thence over Washington Highway 2H to Spokane, Wash., thence over U. S. Highway 10 to the junction of U. S. Highway 395, thence over U. S. Highway 395 to Pasco, thence over U. S. Highway 410 to Prosser, thence over Washington Highway 3A to Union Gap, thence over U. S. Highway 410 to Yakima, thence over U. S. Highway 97 to Ellensburg, thence over U. S. Highway 10 to Seattle, Wash., thence over U. S. Highway 99 to Portland, Oreg., and return over the same route, serving all intermediate points, and the off-route points of Richland, Grandview, Sunnyside, Granger, Zillah, Buena, Sawyer, Donald, Selah, Renton, Kent, Auburn, Sumner, Puyallup, Longview and Castle Rock, Wash.; (3) between Toppenish, Wash., and Portland, Oreg., from Toppenish over U. S. Highway 97 to Maryhill, thence over U. S. Highway 830 to Vancouver, thence over U. S. Highway 99 to Portland, and return over the same route, serving no intermediate points, and as an alternate route for operating convenience only. Applicant is authorized to conduct operations in Montana, North Dakota and Washington.

**HEARING:** March 28, 1957, in Room 400 U. S. Court House, 5th & Madison St., Seattle, Wash., before Examiner Harold W. Angle.

No. MC 66277 (Sub No. 2), filed December 26, 1956, ARROW FREIGHT LINES, INC., 312 Bay Street, Springfield, Mass. For authority to operate as a *contract carrier*, over irregular routes, transporting: *New household furnishings*, and *new furniture*, uncrated, between West Springfield, Mass., and points in Massachusetts within ten miles of West Springfield, on the one hand, and, on the other, points in Rhode Island and Maine. Applicant is authorized to transport the commodities specified in Massachusetts, New Hampshire, New York, New Jersey, and Vermont.

**HEARING:** March 27, 1957, at the U. S. Court Rooms, Hartford, Conn., before Examiner Charles H. Riegner.

No. MC 69271 (Sub No. 3), filed December 26, 1956, McARDLE & CASAZZA TRUCKING CO., INC., 374 South Pearl St., Albany, N. Y. Applicant's representative: William D. Traub, 60 East 42nd St., New York 17, N. Y. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving the off-route points of Mechanicville, Schuylerville, Saratoga Springs, and Ballston Spa, N. Y., in connection with applicant's regular-route operations between Albany, N. Y., and Waterford, N. Y., over New York Highway 32, in No. MC 69271.

**HEARING:** March 21, 1957, at the Federal Building, Albany, N. Y., before Examiner Charles H. Riegner.

No. MC 66900 (Sub No. 17), filed January 28, 1957, HOUFF TRANSFER, INCORPORATED, Weyers Cave, Va. Applicant's representative: Glenn F. Morgan, 1006-1008 Warner Bldg., Washington 4, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, from points in that part of Pennsylvania on and south of U. S. Highway 22 and on and east of U. S. Highway 111 to points in Virginia within 80 miles of Staunton, Va., including Staunton, but excepting Roanoke, Va. Applicant is authorized to conduct operations in Maryland, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

**NOTE:** Applicant states as follows: Applicant now holds authority from the above described Pennsylvania area to Staunton, Va., and points within 50 miles of Staunton; also between Staunton and points within 80 miles of Staunton, except Roanoke, Va. The purpose of this application is to remove the need to operate into the 50 mile area when the traffic is moving to points in the 80 mile area. Applicant is presently serving the 80 mile area via the 50 mile area.

**HEARING:** March 21, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner T. Kinsey Carpenter.

No. MC 89697 (Sub No. 19), filed January 3, 1957, KRAJACK TANK LINES, INC., 480 Westfield Avenue, Roselle Park, N. J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Formaldehyde*, in bulk, in tank vehicles, from South Danville, Pa., to Fredericksburg, Va.; and *liquid binding agent for foundry sand molding*, in bulk, in tank vehicles, from Newark, N. J., to Whitehall, Mich.

**HEARING:** March 28, 1957, at 346 Broadway, New York, N. Y., before Examiner Charles H. Riegner.

No. MC 92983 (Sub No. 193), filed January 14, 1957, ELDON MILLER, INC., 330 East Washington Street, Iowa City, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Vodka*, in bulk, in tank vehicles, from Atchinson, Kans., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. Applicant is authorized to transport the above commodity in the States of Illinois and Michigan.

**HEARING:** March 29, 1957, at the Hotel Pickwick, Kansas City, Mo., before Examiner Mack Myers.

No. MC 95789 (Sub No. 1), filed January 25, 1957, ANDY ENGLER, doing business as ANDY ENGLER COAL AND HAULING, Chenot Place, R. D. 2, Belleville, Ill. Applicant's representative: Sam S. Pessin, 208 So. High St., Belleville, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Sand, stone, gravel, and building materials*, between St. Louis, Mo., and points in St. Louis County, Mo., and points in St. Clair and Madison County, Ill.

**HEARING:** March 18, 1957, at the Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 54.

No. MC 99346 (Sub No. 3), filed November 6, 1956, STOMAC MOTOR EXPRESS, INCORPORATED, 2515 7th Avenue, South, Fort Dodge, Iowa. For authority to operate as a *common carrier*, over regular and irregular routes, transporting: *General commodities*, except Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, (1) between Des Moines, Iowa and Eagle Grove, Iowa, from Des Moines over Iowa Highway 60 to junction of U. S. Highway 30, thence over U. S. Highway 30 to junction of Iowa Highway 60, thence over Iowa Highway 60 to Webster City, thence over U. S. Highway 20 to junction of Iowa Highway 60, thence over Iowa Highway 60 to Eagle Grove, and return over the same route, serving the intermediate point of Stanhope, and the off-route points of Woolstock, Kamrar and Stratford; (2) between junction of Iowa Highway 3 and U. S. Highway 69 and Goldfield, Iowa, from junction of Iowa Highway 3 and U. S. Highway 69 over Iowa Highway 3 to Goldfield, and return over the same route, serving all intermediate points; (3) between junction Iowa Highway 3 and U. S. Highway 69 and Blairsburg, Iowa, from junction of Iowa Highway 3 and U. S. Highway 69 over U. S. Highway 69 to Blairsburg, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only; (4) between Mason City, Iowa and Algona, Iowa, from Mason City over U. S. Highway 18 to Algona, and Highway 5 to the junction of Iowa Highway 17, thence over Iowa Highway 17 to Pocahontas, and return over the same route, serving the intermediate points of Manson and Pomeroy, and the off-route points of Palmer and Blanden; (6) between Des Moines, Iowa and Fort Dodge, Iowa, from Des Moines over U. S. Highway 69 to the junction of U. S. Highway 20, thence over U. S. Highway 20 to Fort Dodge, and return over the same route, serving the intermediate points of Ankeny, Huxley, Ames, Blairsburg, Webster City, Highview and Duncombe. **RESTRICTION:** Points intermediate Des Moines and Ames to be restricted to southbound traffic only from the north; (7) between Fort Dodge, Iowa and Sioux City, Iowa, from Fort Dodge over Iowa Highway 5 to the junction of Iowa Highway 17, thence over Iowa Highway 17 to the junction of Iowa Highway 5, thence over Iowa Highway 5 to Cherokee, thence over U. S. Highway 59 to the junction of Iowa Highway 5, thence over Iowa Highway 5 to Le Mars, thence over U. S. Highway 75 to Sioux City, and return over the same route, serving the intermediate of off-route points of Manson, Pomeroy, Fonda, Newell, Storm Lake, Cherokee, Sulphur Springs and Laurens; (8) between Des Moines, Iowa and Sioux City, Iowa, from Des Moines over U. S. Highway 69 to the junction of U. S.

Highway 20, thence over U. S. Highway 20 to Sioux City, and return over the same route, serving all intermediate points except those on U. S. Highway 20 between Fort Dodge and Sioux City; (9) between Des Moines, Iowa and Fort Dodge, Iowa, from Des Moines over U. S. Highway 6 to the junction of U. S. Highway 169, thence over U. S. Highway 169 to Fort Dodge, and return over the same route, serving the intermediate or off-route points of Harcourt, Boxhok, Ogden, Roberts, Otho, Leleigh, Burnside, Gowrie, Dayton and Pilot Mound; (10) between Fort Dodge, Iowa and Somers, Iowa, from Fort Dodge over U. S. Highway 20 to the junction of unnumbered highway north of Somers, thence over unnumbered highway to Somers, and return over the same route, serving no intermediate points; (11) between Fort Dodge, Iowa and Algona, Iowa, from Fort Dodge over U. S. Highway 169 to Algona, and return over the same route, serving the intermediate or off-route points of Humboldt, Dakota City, Badger, Hardy, Livermore, Bode, Ottosen, West Bend and Rodman; (12) between Fort Dodge, Iowa and Laurens, Iowa, from Fort Dodge over Iowa Highway 5 to the junction of Iowa Highway 17, thence over Iowa Highway 17 to the junction of Iowa Highway 10, thence over Iowa Highway 10 to Laurens, and return over the same route, serving all intermediate points, and the off-route point of Albert City. No authority requested between Sioux City, Storm Lake and Cherokee, Iowa. (13) between junction of Boone County Road "G" and U. S. Highway 169 and Des Moines, Iowa, from junction of Boone County Road "G" and U. S. Highway 169 over U. S. Highway 169 to the junction of U. S. Highway 64, thence over U. S. Highway 64 to Des Moines, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only; (14) between Fort Dodge, Iowa and Algona, Iowa, from Fort Dodge over U. S. Highway 169 to Algona, and return over the same route, serving the intermediate or off-route points of Dakota City and Humboldt; (15) and over the following alternate routes, for operating convenience only, serving no intermediate points, (a) between Des Moines, Iowa and Mason City, Iowa, over U. S. Highway 65; (b) between the junction of U. S. Highway 69 and Iowa Highway 3, and the junction of U. S. Highway 69 and U. S. Highway 18 over U. S. Highway 69; (c) between the junction of U. S. Highway 20 and Iowa Highway 17 and the junction of Iowa Highway 17 and Iowa Highway 5 over Iowa Highway 17; (d) between the junction of Iowa Highway 17 and Iowa Highway 3 and the junction of Iowa Highway 3 and Iowa Highway 60 over Iowa Highway 3; (e) between Laurens, Iowa and Storm Lake, Iowa, over Iowa Highway 10 and U. S. Highway 71; (f) between junction of Iowa Highway 5 and U. S. Highway 59 at Cherokee and the junction of U. S. Highway 20 near Holstein over U. S. Highway 59; (g) between Algona, Iowa and the junction of Iowa Highways 10 and 17, over Iowa Highway 17 and U. S. Highway 18; (h) between Humboldt, Iowa and Pocahontas,

Iowa over Iowa Highway 3; (i) between Des Moines and Sioux City, Iowa, over Iowa Highways 141 and 25 and U. S. Highway 30; (j) between Ames, Iowa and Ogden, Iowa, over U. S. Highway 30; (k) between Goldfield, Iowa and Humboldt, Iowa, over Iowa Highway 3; (l) between Goldfield, Iowa and Eagle Grove, Iowa, over Iowa Highway 60; (m) between the junction of U. S. Highway 20 and U. S. Highway 71 and junction of U. S. Highway 71 and Iowa Highway 5, over U. S. Highway 71.

NOTE: Applicant states that any repetition in proposed scope of operation requested herein shall not be construed as requesting more than a single operating right. Applicant is authorized to conduct operations in Iowa under the second proviso of section 206 (a) (1) of the Interstate Commerce Act, supported by Certificates held by it and Certificates leased from Brady Motorfrate, Inc.

HEARING: March 29, 1957, at the Federal Office Bldg., Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 92.

No. MC 102616 (Sub No. 632), filed January 24, 1957, COASTAL TANK LINES, INC., Grantley Road, York, Pa. Applicant's representative: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D. C. For authority to operate as a common carrier, over irregular routes, transporting: (1) *Animal and vegetable oils and blends of animal and vegetable oils*, in bulk, in tank vehicles, between Baltimore, Md., on the one hand, and, on the other points in Delaware which are more than eighty (80) miles from Philadelphia, Pa., and all points in Pennsylvania, Virginia and the District of Columbia; and (2) *inedible tallow, animal grease and animal oils*, between Baltimore, Md., on the one hand, and, on the other, points in Pennsylvania. Applicant is authorized to transport similar commodities in Delaware, Maryland, Pennsylvania, and the District of Columbia.

HEARING: March 21, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Bertram E. Stillwell.

No. MC 102972 (Sub No. 5), filed January 22, 1957, CHARLES W. STIMSON, Earlville, Iowa. For authority to operate as a common carrier, over irregular routes, transporting: *Butter*, (1) From Amber, Anamosa, Andrew, Arlington, Aurora, Balltown, Center Junction, Central City, Elkader, Epworth, Five Points, Garber, Greeley, Guttenberg, Langworthy, Luxemburg, Manchester, Millville, Monticello, New Vienna, Osterdock, Petersburg, Preston, Ryan, Strawberry Point, Volga, Winthrop, Charlotte, Clarence, DeWitt, Lowden, Quasqueton, Rowley, Walker and Wheatland, Iowa, to Dyersville, Iowa; (2) from Amber, Anamosa, Andrew, Arlington, Aurora, Balltown, Center Junction, Central City, Elkader, Epworth, Five Points, Garber, Greeley, Guttenberg, Langworthy, Luxemburg, Manchester, Millville, New Vienna, Osterdock, Petersburg, Preston, Ryan, Strawberry Point, Volga, Winthrop, Charlotte, Clarence, DeWitt, Lowden, Quasqueton, Rowley, Walker and Wheatland, Iowa to Monticello, Iowa; (3) from Amber, Anamosa, Andrew, Arlington, Aurora, Balltown, Center Junc-

tion, Central City, Elkader, Epworth, Five Points, Garber, Greeley, Guttenberg, Langworthy, Luxemburg, Manchester, Millville, Monticello, New Vienna, Osterdock, Petersburg, Preston, Ryan, Strawberry Point, Volga, Winthrop, Charlotte, Clarence, DeWitt, Lowden, Quasqueton, Rowley, Walker and Wheatland, Iowa, to Worthington, Iowa. Applicant is authorized to transport butter in Iowa.

HEARING: March 29, 1957, at the U. S. Court Rooms, Dubuque, Iowa, before Joint Board No. 92.

No. MC 103341 (Sub No. 5), filed January 24, 1957, YOUNGBLOOD VAN & STORAGE CO., INC., Hamilton Avenue & 40th Street, Columbus, Ga. Applicant's representative: Allan Watkins, 214 Grant Bldg., Atlanta 3, Ga. For authority to operate as a common carrier, over irregular routes, transporting: *New store fixtures, new office fixtures and hospital equipment*, as defined by the Commission, from Columbus, Ga., and Phenix City, Ala., to points in Louisiana, Texas, Oklahoma, Arkansas, Kansas, Missouri, Indiana, Kentucky, Virginia, West Virginia, Illinois, Maryland and the District of Columbia, and *damaged shipments* of the above commodities on return. Applicant is authorized to transport similar commodities in Georgia, Alabama, Florida, Mississippi, North Carolina, South Carolina, and Tennessee.

HEARING: April 5, 1957, at Peachtree-Seventh Bldg., 50 Seventh St., NE., Atlanta, Ga., before Examiner Richard Yardley.

No. MC 103993 (Sub No. 84), filed January 22, 1957, MORGAN DRIVE-AWAY, INC., 509 Equity Bldg., Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian St., Indianapolis 8, Ind. For authority to operate as a common carrier, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in truckaway service, in initial movements, from the plant site of the Casa Manana Corporation in the vicinity of Waycross, Ga., to all points in the United States. Applicant is authorized to transport trailers throughout the United States.

HEARING: April 4, 1957, at Peachtree-Seventh Bldg., 50 Seventh St. NE., Atlanta, Ga., before Examiner Richard Yardley.

No. MC 103993 (Sub No. 82), filed January 11, 1957, MORGAN DRIVE-AWAY, INC., 509 Equity Bldg., Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. For authority to operate as a common carrier, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, by the truckaway method, from points in Nebraska, except Fremont, Grand Island, North Bend, Omaha, and Kearney, Nebr., to points in the United States, except Mt. Clemens, Detroit, and Flint, Mich. Applicant is authorized to conduct operations throughout the United States.

HEARING: April 3, 1957, at the Rome Hotel, Omaha, Nebr., before Examiner Edward Kobernusz.

No. MC 103993 (Sub No. 83), filed January 22, 1957, MORGAN DRIVE-AWAY, INC., 509 Equity Bldg., Elkhart, Ind. Ap-

applicant's representative: John E. Lesow, 3737 North Meridian St., Indianapolis 8, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in truckaway service, in initial movements, from the plant site of the Midway Trailer Corporation in the vicinity of Walnut Ridge, Ark., to points in the United States. Applicant is authorized to transport trailers throughout the United States.

**HEARING:** March 26, 1957, at the U. S. Court Rooms, Little Rock, Ark., before Examiner Allen W. Hagerty.

No. MC 106398 (Sub No. 76), filed January 18, 1957, NATIONAL TRAILER CONVOY, INC., 1916 North Sheridian Road, Box 8096 Dawson Station, Tulsa 15, Okla. Applicant's representative: John E. Lesow, 3737 North Meridian St., Indianapolis 8, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, by the truckaway method, from the plant site of the Casa Manana Corporation near Waycross, Ga., to points in the United States. Applicant is authorized to conduct operations throughout the United States.

**HEARING:** April 4, 1957, at Peachtree-Seventh Bldg., 50 Seventh St., N.E., Atlanta, Ga., before Examiner Richard Yardley.

No. MC 106398 (Sub No. 77), filed January 18, 1957, NATIONAL TRAILER CONVOY, INC., 1916 North Sheridian Road, Box 8096 Dawson Station, Tulsa 15, Okla. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, by the truckaway method, from the plant site of the Midway Trailer Corporation near Walnut Ridge, Ark., to points in the United States. Applicant is authorized to conduct operations throughout the United States.

**HEARING:** March 26, 1957, at the U. S. Court Rooms, Little Rock, Ark., before Examiner Allen W. Hagerty.

No. MC 106450 (Sub No. 8), filed January 22, 1957, STANLEY KULENSKI, CHARLES KULENSKI AND EDWARD KULENSKI, doing business as ATLAS MOVING AND STORAGE COMPANY, 17 Wood Street, West Haven, Conn. Applicant's representative: Hugh M. Joseloff, 410 Asylum Street, Hartford 3, Conn. For authority to operate as a *common carrier*, over irregular routes, transporting: *New furniture* (uncrated), as defined by the Commission, from Waterbury, Conn., to points in Massachusetts, New Hampshire, Rhode Island, Vermont, and New York, and *empty containers* or *other such incidental facilities* (not specified) used in transporting the above-specified commodity on return. Applicant is authorized to conduct operations in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island.

**HEARING:** March 27, 1957, at the U. S. Court Rooms, Hartford, Conn., before Examiner Charles H. Riegner.

No. MC 106965 (Sub No. 98), filed January 24, 1957, M. I. O'BOYLE & SON, INC., doing business as O'BOYLE TANK LINES, 817 Michigan Ave., N.E., Washington 17, D. C. Applicant's representative: Dale C. Dillon, 1825 Jefferson Place, N.W., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Syrups*, in bulk, in tank vehicles, from Richmond, Va., to points in Maryland, North Carolina, Tennessee and the District of Columbia. Applicant is authorized to transport similar commodities in Delaware, Maryland, New Jersey, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

**HEARING:** March 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Paul Coyle.

No. MC 107295 (Sub No. 55), filed January 14, 1957, PRE-FAB TRANSIT CO., a corporation, Farmer City, Ill. Applicant's representative: Mack Stepehnson, 208 East Adams St., Springfield, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Tile and slab*, building or roofing, wood or wood fibre and cement or magnesite combined, from points in Clark County, Ark., to points in Alabama, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and Wisconsin.

**HEARING:** April 9, 1957, in Room 255, New Post Office Bldg., Columbus, Ohio, before Examiner Mack Myers.

No. MC 107515 (Sub No. 249), filed December 28, 1956, REFRIGERATED TRANSPORT CO., INC., 290 University Avenue, S. W., Atlanta 10, Ga. Applicant's representative: Allan Watkins, Grant Bldg., Atlanta 3, Ga. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cheese, cheese products and cheese by-products*, (requiring refrigeration in mechanically refrigerated equipment), from Carthage and Nashville, Tenn., to Plymouth, Wis. Applicant is authorized to transport similar commodities in Mississippi, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Louisiana, Ohio, Wisconsin, and Illinois.

**HEARING:** March 19, 1957, in Room 852, U. S. Custom House, 610 South Canal St., Chicago, Ill., before Examiner Edward Kobernusz.

No. MC 107544 (Sub No. 30), filed January 30, 1957, LEMMON TRANSPORT COMPANY, INCORPORATED, P. O. Box 387, Marion, Va. Applicant's representative: Harry C. Ames, Jr., Transportation Building, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum and petroleum products*, as defined by the Commission, in bulk, in tank vehicles, from Hugheston, W. Va., to points in Alleghany, Tazewell, Giles, Washington, Russell, Smyth, Montgomery and Roanoke Counties, Va.

**NOTE:** Applicant holds contract carrier authority in MC 113959. Section 210 may be involved. Applicant is authorized to

transport the commodities specified in North Carolina, Tennessee, Virginia, and West Virginia.

**HEARING:** March 12, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 245.

No. MC 107640 (Sub No. 33), filed January 3, 1957, MIDWEST TRANSFER COMPANY OF ILLINOIS, a Corporation, 7000 South Pulaski Road, Chicago 29, Ill. Applicant's representative: Charles W. Singer, 1825 Jefferson Place, N.W., Washington 6, D. C. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Building materials*, and *materials, machinery and supplies* used in the manufacture and distribution of building materials, including returned skids and pallets, between North Judson, Ind., on the one hand, and, on the other, points in Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

**NOTE:** Applicant is presently authorized to conduct contract operations under Permit No. MC 107640 and sub numbers thereunder. Application pending in No. MC 114021 and Sub No. 1 to change from contract to common. Applicant filed application in No. MC 114021 Sub No. 3 as a common carrier for the same authority as applied for above. Dual operations and common control may be involved.

**HEARING:** March 20, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Examiner Mack Myers.

No. MC 107757 (Sub No. 13), filed January 14, 1957, M. C. SLATER, INC., 1129 Bremen St., St. Louis, Mo. Applicant's representative: A. A. Marshall, 305 Buder Bldg., St. Louis 1, Mo. For authority to operate as a *common carrier*, transporting: *General commodities*, serving the intermediate point of Morton, Ill., in connection with applicant's regular-route operations between Peoria, Ill., and Lincoln, Ill., over U. S. Highway 150 and Illinois Highway 121. Applicant is authorized to conduct similar operations in Illinois, Indiana, and Missouri.

**HEARING:** March 19, 1957, at the U. S. Court Rooms and Federal Bldg., Springfield, Ill., before Joint Board No. 149.

No. MC 108380 (Sub No. 48), filed January 17, 1957, JOHNSTON'S FUEL LINERS, INC., P. O. Box 112, Newcastle, Wyo. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver 3, Colo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid gilsonite*, and *liquid gilsonite products and by-products*, in bulk, in tank vehicles, between points in Colorado, Idaho, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming. Applicant is authorized to transport petroleum and petroleum products and related commodities between points in the states specified above.

**HEARING:** March 5, 1957, at the New Customs House, Denver, Colo., before Examiner James C. Cheseldine.

No. MC 109689 (Sub No. 43), filed January 18, 1957, W. S. HATCH CO., a corporation, 643 South 100 West, Woods Cross, Utah. Applicant's representative: Marr, Wilkins, Cannon and Boyle, Continental Bank Bldg., Salt Lake City, Utah. For authority to operate as a *common carrier*, over irregular routes, transporting: *Acids, chemicals, and fertilizer solutions*, in bulk, in tank truck vehicles, from Pocatello, Idaho, and points within 25 miles thereof, to points in Montana, Wyoming, Colorado, Utah, and Nevada. Applicant is authorized to conduct operations in Colorado, Idaho, Montana, Nevada, and Utah.

**NOTE:** Applicant states it proposes to tack the above authority, if granted, to all authorities granted under MC 109689 and subs thereunder. Duplication with pending and authorized authority to be eliminated.

**HEARING:** March 18, 1957, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Harold W. Angle.

No. MC 109689 (Sub No. 44), filed January 22, 1957, W. S. HATCH CO., a corporation, Woods Cross, Utah. Applicant's representative: Marr, Wilkins, Cannon & Boyle, Continental Bank Building, Salt Lake City, Utah. For authority to operate as a *common carrier*, over irregular routes, transporting: *Acids, chemicals and fertilizer solutions*, in bulk, in tank vehicles, from points in Wyoming to points in Colorado, Utah and Idaho. Applicant is authorized to transport similar commodities in Arizona, Colorado, Idaho, Michigan, Montana, Nevada, and Utah.

**HEARING:** March 19, 1957, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Harold W. Angle.

No. MC 109924 (Sub No. 5), filed December 20, 1956, EASTON MOTOR FREIGHT, INC., Lehigh and Apple Streets, Easton, Pa. Applicant's representative: A. E. Enoch, Brodhead Block, 556 Main Street, Bethlehem, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Such merchandise as is dealt in by Department Stores*, from Easton, Pa., to Phillipsburg, N. J., and points in New Jersey within twenty (20) miles of Phillipsburg, N. J., restricted to shipments not exceeding 100 pounds in weight, and *empty containers or other such incidental facilities* (not specified) used in transporting the above specified commodities on return.

**HEARING:** April 4, 1957, at the Penn Sherwood Hotel, 3900 Chestnut St., Philadelphia, Pa., before Examiner Charles H. Riegner.

No. MC 110505 (Sub No. 29), filed December 5, 1956, RINGLE TRUCK LINES, INC., 601 South Grant Avenue, Fowler, Ind. Applicant's representative: Robert C. Smith, 512 Illinois Bldg., Indianapolis 4, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber* (rough and finished), from points in Mississippi, Alabama, Georgia, Florida, North Carolina,

South Carolina, Louisiana, and Tennessee, to points in Kentucky, Missouri, Ohio, Indiana, Illinois, Iowa, Wisconsin, Michigan and Minnesota, (2) from points in Arkansas, to points in Iowa, Wisconsin, Ohio, Michigan, and Minnesota, and (3) *damaged shipments* on return.

**HEARING:** March 21, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Examiner Mack Myers.

No. MC 111170 (Sub No. 35), filed January 24, 1957, WHEELING PIPE LINE, INC., Box 270, El Dorado, Ark. Applicant's representative: John Paul Jones, 1012 Edway Building, Memphis 3, Tenn. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Anhydrous ammonia*, in bulk, in tank vehicles, from El Dorado, Ark., to points in Tennessee, Missouri, Oklahoma and Texas; (2) *Aqua ammonia*, in bulk, in tank vehicles, from El Dorado, Ark., to Atlanta, Ga.; (3) *Manufactured nitrogen fertilizers*, in bulk and in bags, in truckloads, from El Dorado, Ark., to points in Mississippi, and Louisiana; (4) *Nitric acid*, in bulk, in tank vehicles, from El Dorado, Ark., to points in Texas, Missouri and Alabama; and (5) *Sulfuric acid*, in bulk, in tank vehicles, from El Dorado and North Little Rock, Ark., to points in Mississippi, Texas and Louisiana. Applicant is authorized to transport anhydrous ammonia in Alabama, Arkansas, Louisiana, Mississippi, Missouri, and Tennessee.

**HEARING:** March 20, 1957, at the U. S. District Court Rooms, Memphis, Tenn., before Examiner Allen W. Hagerty.

No. MC 111401 (Sub No. 80), filed January 17, 1957, GROENDYKE TRANSPORT, INC., 2204 North Grand, Enid, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, and *empty containers or other such incidental facilities* used in transporting the commodities specified, between points in Texas, on the one hand, and, on the other, points in Missouri. Applicant is authorized to transport similar commodities in Oklahoma, Kansas, Colorado, Texas, New Mexico, Missouri, Louisiana, Mississippi, and Tennessee.

**HEARING:** March 27, 1957, at the Hotel Pickwick, Kansas City, Mo., before Examiner Mack Myers.

No. MC 111472 (Sub No. 42), filed November 13, 1956, DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton, Racine, Wis. Applicant's representative: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Agricultural machinery, implements and parts*, as described by the Commission, from Crown Point, Ind., to points in Texas, Louisiana and Florida. Applicant is authorized to conduct operations in all States in the United States except the District of Columbia, Florida, Nevada, North Carolina, and South Carolina.

**HEARING:** March 22, 1957, in Room 852, U. S. Custom House, 610 South

Canal St., Chicago, Ill., before Examiner Edward Kobernusz.

No. MC 111557 (Sub No. 17), filed January 16, 1957, KARL E. MOMSEN, doing business as MOMSEN TRUCKING CO., Route 71 and 18 North, Spencer, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meats, meat products and meat by-products*, from Spencer, Iowa, to Chicago, Ill., and points in the Chicago, Ill., Commercial Zone, and *empty containers or other such incidental facilities* (not specified) used in transporting the above commodities on return. Applicant is authorized to conduct operations in Iowa, Minnesota, and Nebraska.

**HEARING:** March 27, 1957, at the Federal Office Bldg., 5th & Court Avenues, Des Moines, Iowa, before Joint Board No. 53.

No. MC 111812 (Sub No. 32), filed January 2, 1957, MIDWEST COAST TRANSPORT, INC., P. O. Box 747, Sioux Falls, S. Dak. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meats, packing-house products and commodities used by packing-houses*, as defined by the Commission, (1) from Fort Dodge and Sioux City, Iowa, Omaha and Fremont, Nebr., Huron and Mitchell, S. Dak., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, and New Jersey, and *hooks and racks* used in transporting the above commodities on return; (2) from Austin, Minn., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, those in New York on and east of a line extending from Oswego to Syracuse via New York Highway 57 and from Syracuse to the New York-Pennsylvania State line via U. S. Highway 11, and those in Pennsylvania on and east of U. S. Highway 15, and *hooks and racks* used in transporting the above commodities on return. Applicant is authorized to transport similar commodities in South Dakota, Washington, Oregon, Nevada, California, Minnesota, Nebraska, and Iowa.

**HEARING:** March 26, 1957, in Room 852, U. S. Custom House, 610 South Canal St., Chicago, Ill., before Examiner Edward Kobernusz.

No. MC 112028 (Sub No. 2), filed January 28, 1957, CARL HUMM and M. L. CONN, doing business as H. & C. TRANSPORT, R. D. 1, Elizabethtown, Ill. Applicant's representative: Mack Stephenson, 208 East Adams Street, Springfield, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Ore*, between points in Hardin and Pope Counties, Ill., on the one hand, and, on the other, points in Marshall County, Ky. Applicant is authorized to transport the above commodity in Illinois and Kentucky, under Certificate No. MC 112028, between the origin points indicated in the proposed application on the one hand, and, points in Crittenden, Livingston and Caldwell Counties, Ky., on the other.

**HEARING:** March 21, 1957, at the U. S. Court Rooms and Federal Bldg., Springfield, Ill., before Joint Board No. 156.



No. MC 112076 (Sub No. 3), filed December 31, 1956, LOWELL H. RASMUSSEN, Box 105, Monticello, Utah. Applicant's representative: Lucy Redd, State Exchange Bldg., 345 South State, Salt Lake City 1, Utah. For authority to operate as a *common carrier*, over irregular routes, transporting: *Uranium ores* and *vanadium ores*, in bulk, from points in Arizona within a 25-mile radius of the point at Utah Highway 47 on the Utah-Arizona State Line, to mill sites located at Mexican Hat and Monticello, Utah. Applicant is authorized to transport uranium and vanadium ores from points in San Juan County, Utah to Naturita, Durango and Uravan, Colo. and Thompson, Utah.

**HEARING:** March 20, 1957, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Harold W. Angle.

No. MC 112442 (Sub No. 7), filed January 10, 1957, H. L. MANESS, doing business as H. L. MANESS TRUCK LINE, 223 Wisconsin, Neodesha, Kans. Applicant's representative: J. Wm. Townsend, 204-206 Central Bldg., Topeka, Kans. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Dry fertilizers*, in packages and in containers, in truck load lots, from Horn, Mo., and points within 20 miles thereof, to points in Kansas, Colorado, and Nebraska.

**HEARING:** April 3, 1957, at the Hotel Kansan, Topeka, Kans., before Examiner Mack Myers.

No. MC 112497 (Sub No. 84), filed January 24, 1957, HEARIN TANK LINES, INC., 6440 Rawlins St., Baton Rouge, La. For authority to operate as a *common carrier*, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from Lemoyne, Ala. and points within five (5) miles thereof, to points in Florida, Georgia, and Mississippi. Applicant is authorized to transport sulphuric acid between specified points in Louisiana, Mississippi, Alabama, Georgia, and Tennessee.

**HEARING:** March 29, 1957, at the Jung Hotel, New Orleans, La., before Examiner Allen W. Hagerty.

No. MC 113035 (Sub No. 2), filed January 25, 1957, WILBUR LOWDERMILK, Friendsville, Md. Applicant's representative: Peter J. Decker, 917 Grand Avenue, Cumberland, Md. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Clay* in bulk, from Ohiopyle, Pa., and points within ten (10) miles thereof, to Niles, Ohio. Applicant is authorized to transport clay from the above-specified origin points to Jennings, Md., and points within ten miles of Jennings.

**HEARING:** March 15, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Bertram E. Stillwell.

No. MC 113855 (Sub No. 19), filed January 23, 1957, INTERNATIONAL TRANSPORT, INC., 2303 Third Ave., North, Fargo, N. Dak. Applicant's representative: Franklin J. Van Osdel, First National Bank Bldg., Fargo, N. Dak. For authority to operate as a *common carrier*, over irregular routes, transporting: *Construction machinery and equipment*,

as described by the Commission, *dumping and hauling vehicles* (off-highway type), and *attachments and parts* of all such machinery, equipment and vehicles moving with the units being transported, in haulway, towaway or driveaway service, from points in the Chicago, Ill. Commercial Zone as defined by the Commission (including Melrose Park, Ill.), Libertyville, Ill., and Milwaukee, Wis. and points within 5 miles of each, to points in the United States and the Territory of Alaska. Applicant is authorized to transport similar commodities in Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Utah, Arizona, Colorado, New Mexico, North and South Dakota, Nebraska, Iowa, Minnesota, Wisconsin, and Illinois.

**HEARING:** March 19, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner William T. Croft.

No. MC 113861 (Sub No. 13), filed December 26, 1956, W. H. WOOLLEN AND J. H. PARKER, doing business as W. H. WOOLLEN TRANSPORTS, 153 Gaston Ave., Memphis, Tenn. Applicant's representative: Louis I. Dailey, 2111 Sterick Bldg., Memphis 3, Tenn. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum* and *petroleum products*, as defined by the Commission, including *liquefied petroleum gases*, in bulk, in tank vehicles, from New Madrid, Mo., and points within ten miles thereof, to points in Tennessee, Arkansas, Kentucky, Illinois, Iowa, Indiana, those in Mississippi on and north of U. S. Highway 80, and those in Oklahoma and Kansas on and east of U. S. Highway 77, except those points in Oklahoma, Kansas and Arkansas that are within 200 air-miles of Tulsa, Oklahoma. Applicant is authorized to transport similar commodities in Arkansas, Missouri, Kentucky, Alabama, Tennessee, and Mississippi.

**HEARING:** March 25, 1957, at the U. S. District Court Rooms, Memphis, Tenn., before Examiner Allen W. Hagerty.

No. MC 14021 (Sub No. 3), filed December 3, 1956, MIDWEST TRANSFER COMPANY OF ILLINOIS, a Corporation, 7000 South Pulaski Road, Chicago 29, Ill. Applicant's representative: Charles W. Singer, 1825 Jefferson Place, NW., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Building materials*, and *materials, machinery and supplies* used in the manufacture and distribution of building materials, including *returned skids and pallets*, between North Judson, Ind., on the one hand, and, on the other, points in Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

**NOTE:** Applicant is presently authorized to conduct contract carrier operations under Permit No. MC 107640 and sub numbers thereunder. Application pending in No. MC 114021 and Sub No. 1 to change from contract

to common. Applicant filed application in No. MC 107640 Sub No. 33 as a contract carrier for the same authority as applied for above. Dual operations and common control may be involved.

**HEARING:** March 20, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Examiner Mack Myers.

No. MC 114107 (Sub No. 3), filed January 10, 1957, CEMENT TRANSPORT, INC., Kosmosdale, Ky. Applicant's representative: Ollie L. Merchant, 712 Louisville Trust Bldg., Louisville 2, Ky. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Salt*, in bulk, in tank vehicles, and in packages and in blocks, from Louisville, Ky., to points in Illinois, Indiana, Ohio, and Tennessee, within 180 miles of Louisville.

**NOTE:** Applicant presently holds Permit No. MC 114107 to transport *Cement*, in bulk, in tank vehicles, and in bags, from Kosmosdale, Ky., to points in Indiana and Ohio within 180 miles of Kosmosdale.

**HEARING:** March 15, 1957, at the Kentucky Hotel, Louisville, Ky., before Examiner Allen W. Hagerty.

No. MC 114265 (Sub No. 1), filed January 28, 1957, W. C. SHOEMAKER AND RALPH SHOEMAKER, a Partnership, doing business as SHOEMAKER TRUCKING COMPANY, 1318 Jackson, Boise, Idaho. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber*, between points in Washington, Oregon, Montana, Idaho, Utah, Nevada and Wyoming. Applicant is authorized to transport lumber from specified points in Oregon to specified points in Idaho.

**HEARING:** March 25, 1957, at the Federal Bldg., Boise, Idaho, before Examiner Harold W. Angle.

No. MC 114284 (Sub No. 3), filed December 28, 1956, F. GAFFIN, INC., 3108 NW. 49th St., Oklahoma City, Okla. Applicant's representative: W. T. Brunson, Leonhardt Bldg., Oklahoma City 2, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Meats, meat products and meat by-products* and (2) *dairy products*, as defined by the Commission, between points in the Commercial Zone of Oklahoma City, Okla., on the one hand, and, on the other, El Paso, Texas, and points in New Mexico and Arizona.

**NOTE:** Applicant is authorized to serve certain specified points in New Mexico, and Oklahoma City, but states that duplicating authority is not sought under this application.

**HEARING:** April 2, 1957, at the Federal Bldg., Oklahoma City, Okla., before Examiner Allen W. Hagerty.

No. MC 114364 (Sub No. 23), filed January 28, 1957, WRIGHT MOTOR LINES, INC., 16th and Elm, Rocky Ford, Colo. Applicant's representative: Marion F. Jones, 526 Denham Bldg., Denver 2, Colo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Sugar*, from Layton, Utah, to points in Kansas, and Kansas City, Mo. Applicant is authorized to transport sugar between and from and to specified points in Wyoming, Kansas, Oklahoma, Colorado, Idaho, Utah, Missouri, Texas, New Mexico, and Arkansas.

**HEARING:** March 20, 1957, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Harold W. Angle.

No. MC 114436 (Sub No. 1), filed January 16, 1957, WILLIAM J. HOLMES, doing business as HOLMES OF SOUTH-BURY, Old Waterbury Road, Southbury, Conn. Applicant's representative: Hugh M. Joseloff, 410 Asylum St., Hartford 3, Conn. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Ice cream mix*, in bulk, in tank vehicles, and *whole condensed milk*, in bulk, in tank vehicles, from Canastota, N. Y., to Southbury, Conn. Applicant is authorized to transport milk powder in bags from Canastota, N. Y., to Southbury, Conn.

**HEARING:** April 2, 1957, at 346 Broadway, New York, N. Y., before Examiner Charles H. Riegner.

No. MC 114569 (Sub No. 12), filed January 30, 1957, SHAFFER TRUCKING, INC., Elizabethville, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Canned goods, vinegar and dry cereal preparations*, (1) from Berryville, Mount Jackson and Winchester, Va., to points in Iowa, Michigan, Minnesota, Missouri and Wisconsin; and (2) from points in Adams and Franklin Counties, Pa., to points in Minnesota and Wisconsin. Applicant is authorized to conduct common carrier operations in Maine, New Hampshire, Pennsylvania, Vermont and West Virginia. Applicant has contract carrier authority in Permit No. MC 55613. Section 210, dual operations, may be involved.

**HEARING:** March 19, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Bertram E. Stillwell.

No. MC 114840 (Sub No. 1), filed October 19, 1956, EUGENE EBY, GLENN EBY AND WAYNE EBY, doing business as EBY BROTHERS, 2622 Regan Street, Boise, Idaho. Applicant's representative: Stephen L. Guice, Room 529 Idaho Bldg., Boise, Idaho. For authority to operate as a *common carrier*, over irregular routes, transporting: *Conduits, drain tile, sewer pipe or related articles*, clay, concrete or earthen; *conduits, pipe, smoke stacks, tubing, or fittings* other than clay, concrete or earthen; and *tanks*, metal, capacity 1,000 gallons or over, from points within Ada County, Idaho to points in Idaho; that part of Washington lying south of a line which runs east and west through Rosalia, Whitman County, Wash., and east of a line which runs north and south through Ellensburg, Kittitas County, Wash.; that part of Oregon lying east of a line which runs north and south through Klamath Falls, Klamath County, Oreg.; that part of Nevada lying north of a line running east and west through Ely, White Pine County, Nev.; that part of Utah lying north of a line running east and west through Farmington, Davis County, Utah; that part of Wyoming lying west of a line running north and south through Rock Springs, Sweetwater County, Wyo.; and that part of Montana lying west of a line running north and

south through Livingston Park County, Mont.

**HEARING:** March 22, 1957, at the Federal Bldg., Boise, Idaho, before Examiner Harold W. Angle.

No. MC 115022 (Sub No. 1), filed July 18, 1955, (REOPENED FOR FURTHER HEARING), CHAMBERLAIN'S TRAILER TRANSPORT, INCORPORATED, 11 Litchfield St., Thomaston, Conn. Applicant's representative: Reubin Kaminsky, 410 Asylum St., Hartford, Conn. For authority to operate as a *common carrier* over irregular routes, transporting: *Used trailers*, designed to be drawn by passenger cars, furnished and unfurnished, by truckaway method, in secondary movements, between points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York and New Jersey, on the one hand, and, on the other, all points in the United States.

**NOTE:** Duplicating authority to be eliminated. Applicant is authorized to conduct similar operations in Connecticut, New York, New Jersey, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine and Florida.

**FURTHER HEARING:** March 25, 1957, at the U. S. Court Rooms, Hartford, Conn., before Examiner Charles H. Riegner.

No. MC 115212 (Sub No. 2), filed December 26, 1956, H. M. H. MOTOR SERVICE, a corporation, Box 472, Jamesburg, N. J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Such commodities*, as are dealt in by women's and children's ready-to-wear apparel stores, and in connection therewith, *supplies and equipment*, used in the conduct of such businesses, between New York, N. Y., on the one hand, and, on the other, points in Tennessee, West Virginia, and Kentucky.

**NOTE:** Applicant's proposed operations are to be conducted under special and individual contracts or agreements, with persons (as defined in section 203 (a) of the Interstate Commerce Act) who operate retail stores, the business of which is the sale of women's and children's ready-to-wear apparel.

**HEARING:** March 29, 1957, at 346 Broadway, New York, N. Y., before Examiner Charles H. Riegner.

No. MC 115884 (Sub No. 2), filed January 9, 1957, CECIL E. STIERNAGLE, doing business as MOBILE HOME TOWING SERVICE, Albers Trailer Court, R. R. #2, P. O. Box 22, Rantoul, Ill. Applicant's representative: Alfred H. Reichman, 318 North Hickory St., Champaign, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *House trailers*, towed by motor vehicles, between points in Champaign and Vermillion Counties, Ill., on the one hand, and, on the other, points in California, Arizona, New Mexico, Texas, Oklahoma, Arkansas, Kansas, Missouri, Indiana, New York, New Jersey, Maryland, and Florida.

**HEARING:** March 26, 1957, at the U. S. Court Rooms and Federal Bldg., Springfield, Ill., before Examiner Mack Myers.

No. MC 116067 (Sub No. 2), filed January 10, 1957, NEBRASKA SHORT LINE CARRIERS, INC., 901 South 13th St.,

Lincoln, Nebr. Applicant's representative: J. Max Harding, 901 South 13th St., Lincoln, Nebr. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between Omaha, Nebr., on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin and Wyoming. Applicant is authorized to transport similar commodities in the States of Colorado, Illinois, Iowa, Nebraska, Minnesota, and Missouri.

**HEARING:** April 4, 1957, at the Rome Hotel, Omaha, Nebr., before Examiner Edward Kobernusz.

No. MC 116309 (Sub No. 1), filed November 23, 1956, HOWARD BAER and A. E. SCHMIED, doing business as BAER AND SCHMIED, Morton, Ill. Applicant's representative: Grover C. Hoff, Suite 1121 Ridgely Bldg., Springfield, Ill. For authority to operate as a *common carrier*, over regular routes, transporting: (1) *Dairy products*, such as milk, ice cream, milk products, butter, cheese, buttermilk, chocolate milk, ice cream mix, butter fat, yogurt, custard mix, margarine, oleomargarine, chocolate drinks, party freeze, cream (all grades), ice cream novelties, eggs, cottage cheese, *fruit flavored drinks, dairy products containers*, and *all commodities usually handled by retail or wholesale dairies, and empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, (a) between Peoria, Ill., and Clinton, Iowa, from Peoria over Illinois Highway 88 to Sterling, Ill., thence over U. S. Highway 30 to Clinton, Iowa, and return over the same route, serving no intermediate points; and (b) between St. Louis, Mo., and Peoria, Ill., from St. Louis over U. S. Highway 66 to Lincoln, Ill., thence over Illinois Highway 121 to Morton, Ill., thence over U. S. Highway 150 to Peoria, and return over the same route, serving no intermediate points. (2) *Dairy products containers*, from Clinton, Iowa to St. Louis, Mo., from Clinton over U. S. Highway 67 to St. Louis, serving no intermediate points.

**HEARING:** March 20, 1957, at the U. S. Court Rooms and Federal Bldg., Springfield, Ill., before Joint Board No. 46.

No. MC 116330, filed December 3, 1956, H. E. RODEN, doing business as RODEN TRANSFER, 215 Austin Ave., Sheffield, Ala. Applicant's representative: Howell T. Heflin, 100 1/2 West 6th St., Tusculumbia, Ala. For authority to operate as a *common carrier*, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Sheffield, Ala., and a radius of 50 miles thereof, on the one hand, and, on the other, points in Tennessee, Arkansas, Mississippi, Flor-

ida, Georgia, Kentucky, South Carolina, and Alabama.

NOTE: Applicant is authorized in MC 113891, as a contract carrier, between points in Alabama, to transport meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses. If this application is granted dual operations may be involved.

HEARING: March 22, 1957, at the U. S. Court Rooms, Sheffield, Ala., before Examiner Allen W. Hagerty.

No. MC 116339 (Sub No. 1), filed January 2, 1957, J & M ENTERPRISES, INC., 1640 New Tampa Highway, Lakeland, Fla. Applicant's representative: William P. Tomasello, 120 East Davidson Street, Bartow, Fla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Animal feed and poultry feed* (a) from Chicago, Ill., Lexington, Ky., and Marshall, Mo., to all points in Florida, Georgia and Alabama; and (b) from Cartersville, Ga., to all points in Alabama and Florida.

HEARING: March 19, 1957, in Room 852, U. S. Custom House, 610 South Canal St., Chicago, Ill., before Examiner Edward Kobernusz.

No. MC 116342, filed December 10, 1956, DOTY & CORYA, INC., 515 Buckeye Street, North Vernon, Ind. Applicant's representative: Kirkwood Yockey, Morris Plan Bldg., Suite 806, 108 East Washington St., Indianapolis 4, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Bituminous materials*, except coal in bulk, in tank vehicles, from Louisville, Ky., Cincinnati, Ohio, and points within five miles thereof, and Lawrenceville, Ill., and points within five miles thereof to points in Indiana and *damaged shipments* of the above commodity on return.

HEARING: March 22, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Examiner Mack Myers.

No. MC 116359, filed January 10, 1957, EGYPTIAN TIMBER TRANSPORTS, INC., Railway Exchange Bldg., St. Louis, Mo. Applicant's representative: David Axelrod, 39 South La Salle St., Chicago 3, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: (1) *Lumber*, rough or surfaced (No. 3 grade not merchantable, except for dunnage used by steel mills and contractors for bracing and blocking), from points in Missouri, Arkansas, Kentucky, Tennessee, Illinois, Georgia, Alabama, Mississippi, Louisiana, South Carolina, and Florida, to Mt. Vernon, Ill., and to points in Lake, Cook, DePage, Will, Kankakee, Iroquois, Livingston, Grundy, La Salle, Kendall, Kane, McHenry, Boone and DeKalb Counties, Ill. and Lake Porter, La Porte, Starke, Pulaski, Jasper, and Newton Counties, Ind. (2) *Treated wood products* (consisting of crosoted fence posts, barn poles, and rural telephone poles), from Mt. Vernon, Ill. to points in Wisconsin, Iowa, Indiana and the Lower Peninsula of Michigan, and (3) *Uncrated wood posts and poles*, from Hattiesburg, Miss., to Mt. Vernon, Ill.

HEARING: March 20, 1957, in Room 852, U. S. Custom House, 610 South Canal St., Chicago, Ill., before Examiner Edward Kobernusz.

No. MC 116367, filed December 27, 1957, EMIL KLEIN, doing business as MIRO'S EXPRESS, 43-21 161st Street, Flushing, 58, N. Y. Applicant's representative: Edward M. Alfano, 36 West 44th St., New York 36, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Baggage*, between New York, N. Y., and points in Nassau and Westchester Counties, N. Y., on the one hand, and, on the other, points in Delaware, Greene, Ulster and Sullivan Counties, N. Y., Susquehanna and Wayne Counties, Pa., Windham County, Vt., and Somerset County, Maine.

HEARING: April 1, 1957, at 346 Broadway, New York, N. Y., before Examiner Charles H. Riegner.

No. MC 116377, filed January 10, 1957, BENNETT M. JOHNSON, doing business as BEN JOHNSON TOWING AND WRECKING SERVICE, 1741 Lyon St., Des Moines, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Disabled truck tractors and replacements units for same*, between Des Moines, Iowa, on the one hand, and, on the other, points in Nebraska, Minnesota, Illinois, and Missouri.

HEARING: March 29, 1957, at the Federal Office Bldg., 5th & Court Avenues, Des Moines, Iowa, before Examiner Edward Kobernusz.

No. MC 116381, filed January 14, 1957, FRANK TWITCHELL, Route 20, Bridge-water, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Lime, tanolin, odorous calf skins, fertilizer stock, chrome shavings, and animal hair*, between West Winfield, N. Y., and Bellefont, Reynoldsville, Boyertown, Philadelphia, Pa., Kearney, Newark, and Carteret, N. J., Springfield and Salem, Mass., and Burlington, East Fairfield, and St. Albans, Vt.

HEARING: March 20, 1957, at the Federal Bldg., Syracuse, N. Y., before Examiner Charles H. Riegner.

No. MC 116388, filed January 22, 1957, CLAUDE L. FRANK, Route 2, Westmoreland, Kans. Applicant's representative: Arthur L. Claussen, 303 New England Bldg., Topeka, Kans. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Livestock feeds and poultry feeds*, in bulk, and in packages and containers, from Kansas City, Mo., to points in Morris, Wabaunsee, Riley, Pottawatomie, Marshall, Washington and Geary Counties, Kans.

HEARING: March 22, 1957, at the Hotel Kansan, Topeka, Kans., before Joint Board No. 36.

No. MC 116407, filed January 28, 1957, SAM WOOTEN and BILL WOOTEN, doing business as WOOTEN WHOLESALE CO., Dwarf, Ky. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Lumber*, from points in Perry, Knott, Floyd, Letcher, Leslie, Breathitt, Owsley and Mogoffin Counties, Ky., to Cincinnati, Ohio and New Albany, Ind. and (2) *Feed*, from Reading, Ohio, to points in Breathitt, Knott, Letcher, and Perry Counties, Ky.

HEARING: March 15, 1957, at the Kentucky Hotel, Louisville, Ky., before Joint Board No. 208.

No. MC 116408, filed January 30, 1957, BRUNO'S TRUCKING, INC., 454 Westchester Ave., Bronx, N. Y. Applicant's representative: August W. Heckman, 880 Bergen Ave., Jersey City 6, N. J. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Fresh meats*, between Newark, N. J. and New York, N. Y.; *empty containers or other such incidental facilities* (not specified) used in transporting the named commodity, on return.

HEARING: April 3, 1957, at 346 Broadway, New York, N. Y., before Examiner Charles H. Riegner.

No. MC 116411, filed January 30, 1957, DAVE KASMOCH, Box 1, Oakmont, Pa. Applicant's representative: Arthur J. Diskin, 924 Frick Building, Pittsburgh 19, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lime*, in bulk, in dump trucks or dump trailers, from Strasburg and Oran-da, in Shenandoah County, Va., to points in Allegheny County, Pa.

HEARING: March 18, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 250.

No. MC 116412, filed January 30, 1957, SOUTHWEST BULK HANDLERS, INC., American Bldg., Ada, Okla. Applicant's representative: W. T. Brunson, Leonhardt Bldg., Oklahoma City 2, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Dry cement*, in bulk in specially constructed tank vehicles, between points in Arkansas, Colorado, Kansas, New Mexico, Oklahoma, and Texas.

HEARING: April 3, 1957, at the Federal Bldg., Oklahoma City, Okla., before Examiner Allen W. Hagerty.

No. MC 116417, filed January 31, 1957, BERNARD KLEIN and EMANUEL KLEIN, a Partnership, doing business as BERNARD'S EXPRESS & TRUCKING, 48-20 30th Street, Long Island City, N. Y. Applicant's representative: Leonard J. Walsh, 1050 Cathedral Avenue, Franklin Square, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Toilet paper, facial tissue, paper towels, paper napkins, paper containers, paper plates, sanitary napkins, wrapping paper and paper bags*, from Long Island City, N. Y., to points in Nassau and Suffolk Counties, N. Y.; and *returned shipments* of the commodities specified on return movements. RESTRICTION: Applied-for authority to be limited to shipments having a prior movement by rail.

HEARING: April 3, 1957, at 346 Broadway, New York, N. Y., before Examiner Charles H. Riegner.

MOTOR CARRIERS OF PASSENGERS

No. MC 3971 (Sub. No. 6), filed January 30, 1957, CONRAD C. WILSON AND FRED A. WILSON, doing business as ZANE TRANSIT LINES, 1507 Augusta St., Zanesville, Ohio. Applicant's representative: James E. Wilson, Continental Bldg., 14th and K Streets NW., Washington 5, D. C. For authority to operate as a *common carrier*, over regular routes,

transporting: *Passengers and their baggage, and express, mail and newspapers* in the same vehicle with passengers, between Athens, Ohio and Huntington, W. Va., from Athens over U. S. Highway 33 to Mason, W. Va., thence over West Virginia Highway 62 to Point Pleasant, W. Va., and thence over West Virginia Highway 2 to Huntington, W. Va., and return over the same routes, serving all intermediate points. Applicant is authorized to conduct operations in Ohio.

**HEARING:** April 2, 1957, in Room 255, New Post Office Bldg., Columbus, Ohio, before Joint Board No. 61.

No. MC 28680 (Sub No. 9), filed January 11, 1957, JORDAN BUS COMPANY, Jordan Terminal Bldg., Hugo, Okla. Applicant's representative: Joe G. Wolfe, 520 Hales Bldg., Oklahoma City, Okla. For authority to operate as a *common carrier*, over regular routes, transporting: *Passengers and their baggage, express, and mail*, in the same vehicle with passengers, between Oklahoma City, Okla., and Healdton, Okla., from Oklahoma City over U. S. Highway 62-277 to Blanchard, thence over Oklahoma Highway 76 to Lindsay, thence over Oklahoma Highway 76 to junction Oklahoma Highway 29, thence over Oklahoma Highway 29 to the junction of Oklahoma Highway 76, thence over Oklahoma Highway 76 to Healdton, and return over the same route, serving all intermediate points between Blanchard and Healdton, including Blanchard; (2) between Oklahoma City, Okla., and Healdton, Okla., from Oklahoma City over U. S. Highway 62-277 to Blanchard, thence over Oklahoma Highway 76 to Lindsay, thence over Oklahoma Highway 19 to Maysville, thence over Oklahoma Highway 74 to Elmore City, thence over Oklahoma Highway 29 to junction of Oklahoma Highway 76, thence over Oklahoma Highway 76 to Healdton, and return over the same route, serving all intermediate points between Blanchard and Healdton, including Blanchard. Applicant is authorized to perform similar operations in Oklahoma, Texas, and Arkansas.

**HEARING:** April 1, 1957, at the Federal Bldg., Oklahoma City, Okla., before Joint Board No. 88.

No. MC 29957 (Sub No. 64), filed September 4, 1956 (Correction), CONTINENTAL SOUTHERN LINES, INC., 425 Bolton Avenue, P. O. Box 4407, Alexandria, La. Applicant's representative: Grove Stafford, P. O. Box 1711, Alexandria, La. That portion of the notice of filing of the application requesting authority "to junction U. S. Highway 190 near Mandeville, La., thence over U. S. Highway 190 to Covington, La." was in error. The correct route description reads: "to junction Louisiana Highway 25, near Mandeville, La., sometimes called Mandeville Junction, thence over Louisiana Highway 25 to Covington, La."

**HEARING:** Remains as assigned March 11, 1957, at the Jung Hotel, New Orleans, La., before Joint Board No. 164.

No. MC 89221 (Sub No. 3), filed January 22, 1957, JOHN A. ROSSI, FRANK L. ROSSI, ALICE M. ROSSI AND DOMENICK ROSSI, a partnership, doing business as HARFORD MOTOR COACH

COMPANY 2739 Greenmount Avenue, Baltimore 18, Md. Applicant's representative: Robert E. Goldstein, 24 West 40th Street, New York 18, N. Y. For authority to operate as a *common carrier*, over regular routes, transporting: *Passengers, baggage of passengers, express, mail and newspapers* in the same vehicle with passengers, (1) between Baltimore, Md., and Cape May, N. J.: From Baltimore, over U. S. Highway 40 to Malaga, N. J., thence over New Jersey Highway 47 to Millville, N. J., thence over New Jersey Highway 49 to Tuckahoe, N. J., thence over New Jersey Highway 50 to its junction with U. S. Highway 9 at Seaville, N. J., thence over Garden State Parkway Interchange Road No. 20 to Garden State Parkway, thence over Garden State Parkway to its junction with U. S. Highway 9 in Lower Township, Cape May County, N. J., thence over U. S. Highway 9 to Cape May, N. J., and return over the same route; and (2) between Burleigh, N. J., and points in Lower Township, Cape May County, N. J.: From the junction of Garden State Parkway Interchange Road No. 6 and Cape May County Road 585 at Burleigh, over Cape May County Road 585 via North Wildwood, Wildwood and Wildwood Crest, to the junction of Cape May County Road 585 and U. S. Highway 9 at Lower Township, Cape May County, N. J., and return over the same route. **RESTRICTION:** Applied-for authority to be restricted to traffic moving between points on the portions of the highways specified in Maryland and Delaware, on the one hand, and, on the other, points on the portions of the highways specified in New Jersey south and east of, but not including, Malaga, N. J. Applicant is authorized to transport passengers and their baggage in charter operations in Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

**HEARING:** April 1, 1957, in Room 709, U. S. Appraisers' Stores Bldg., Gay and Lombard Sts., Baltimore, Md., before Joint Board No. 283.

No. MC 99601 (Sub No. 1), filed January 10, 1957, LEE WALL, doing business as SUPERIOR-LINCOLN STAGE LINES, 901 South 13th St., Lincoln, Nebr. Applicant's representative: J. Max Harding, 901 South 13th Street, Lincoln, Nebr. For authority to operate as a *common carrier*, over regular routes, transporting: *Passengers and their baggage, express, mail and newspapers*, in the same vehicle with passengers, (1) between Lincoln, Nebr., and Superior, Nebr., from Lincoln over U. S. Highway 77 to the junction of Nebraska Highway 33, thence over Nebraska Highway 33 to Crete, thence over Nebraska Highway 82 to Wilber, thence over Nebraska Highway 41 to the junction of Nebraska Highway 15, thence over Nebraska Highway 15 to Fairbury, thence over Nebraska Highway 3 to the junction of Nebraska Highway 14, thence over Nebraska Highway 14 to Nelson, thence over Nebraska Highway 14 to Superior, and return

over the same route, serving all intermediate points; (2) between Fairbury, Nebr., and Beatrice, Nebr., from Fairbury over Nebraska Highway 3 to Beatrice, and return over the same route, serving all intermediate points; (3) between Beatrice, Nebr., and junction of U. S. Highway 77 and Nebraska Highway 33 from Beatrice over U. S. Highway 77 to the junction of U. S. Highway 77 and Nebraska Highway 33, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with Routes 1 and 2 above. **RESTRICTION:** Applicant shall not transport passengers, baggage of passengers, mail, express, and newspapers (1) solely between Beatrice and Lincoln, Nebr., or (2) solely between points both of which are intermediate between Beatrice and the junction of U. S. Highway 77 and Nebraska Highway 33; or (3) solely between Beatrice or Lincoln, Nebr., on the one hand, and, on the other, points intermediate between Beatrice and the junction of U. S. Highway 77 and Nebraska Highway 33.

**NOTE:** This application is filed to obtain a Certificate of Public Convenience and Necessity authorizing continuance of interstate operations conducted under the second proviso of section 206 (a) (1) of the Interstate Commerce Act, supported by intrastate Certificate on file with this Commission. If and when the instant application is granted, the second proviso filing should be dismissed.

**HEARING:** March 25, 1957, at the Nebraska State Railway Commission, Capitol Bldg., Lincoln, Nebr., before Joint Board No. 93.

No. MC 114325 (Sub No. 2), filed January 28, 1957, NORTH JERSEY TRANSIT, 1060 Broad St., Newark 2, N. J. Applicant's representative: William Ryan, 1060 Broad St., Newark 2, N. J. For authority to operate as a *common carrier*, over regular routes, transporting: *Passengers and their baggage, mail, newspapers and express packages of freight*, in the same vehicle with passengers, (1) from the "Green", Morristown, N. J. to Morris Avenue to Washington Avenue to Madison Avenue (Route 24), via Madison Avenue (Route 24) to Madison, N. J., via Madison Avenue and Main Street to Main Street, Chatham, N. J., via Main Street (Route 24), Morris Turnpike, thence via Morris Turnpike through Summit-Short Hills, N. J. to junction Route 24 and Millburn Avenue, Millburn, N. J., via Millburn Avenue, through Millburn and Maplewood, N. J. to junction Millburn Avenue and Vaux Hall Road, via Vaux Hall Road through Union, N. J., to junction Vaux Hall Road and Route 22, Union, N. J., via Route 22 to junction Highway U. S. 1 in Newark, N. J., via Highway U. S. 1, to connection with New Jersey Turnpike, Newark, N. J., via New Jersey Turnpike to Lincoln Tunnel Approach, Secaucus, N. J., via underpass, to Lincoln Tunnel, to Manhattan Borough, New York City, N. Y. Also from Chatham, N. J., via Main Street, to River Road, thence via River Road to Morris Avenue to Broad Street, Summit, N. J., via Broad Street to Morris Avenue to junction with Route 24 and Millburn Avenue. Return over same routes from

New York City to Morristown, N. J., provided however, that no service is proposed between the junction of Vaux Hall Road and Route 22 in Union, N. J. and New York City, N. Y. (2) Also from junction of Vaux Hall Road, Route 22 and Garden State Parkway to Route S3 thence over S3 to Route 3 to approaches to Lincoln Tunnel underpass and approaches and via Lincoln Tunnel to Manhattan Borough, New York City, N. Y. and return over the said route; (3) In addition to the above authority, in connection with the above-described routes, operations between the junction of New Jersey Turnpike at Interchange 14, Newark, N. J. over the Turnpike extension, Newark Bay Bridge, Jersey City Express Way to the junction with U. S. Highway 1 in Jersey City, N. J. and thence through the Holland Tunnel to Manhattan Borough, New York City, N. Y., with return over the same route; (4) between the intersection of Broad Street and Springfield Avenue, Summit, N. J., in connection with applicant's other applied-for routes between New York, N. Y. and the territory hereinbefore set forth in New Jersey, via Springfield Avenue, through New Providence, Murray Hill, Berkeley Heights, Gillette, Stirling, Millington, N. J., on Valley Road to its junction with King George Road, thence via King George Road to Lyons, N. J., and the Veterans Administration Hospital in Lyons, thence to Basking Ridge, N. J., via Route 527, and thence to Bernardsville, N. J. via Route 527 and Route 202 and also unnamed highways, and return over the same routes; namely, from Bernardsville over unnamed highways, Route 202 and 527 to Basking Ridge, thence retracing the aforesaid route above-named to Lyons, thence via Valley Road and Springfield Avenue to its junction with Broad Street, Summit, N. J.; (5) also, operations with closed doors between the junction of Morris Avenue, Route 24, and Broad Street at the intersection of Millburn Avenue, Springfield, N. J., over Route 24 to its junction with Route 22 and thence via Route 22 as above-indicated to New York, N. Y., and return over the same route; (6) The same authority applied for under section (3); namely, the route to downtown New York, N. Y., is also herein applied for under authority applied for under paragraphs (4) and (5) of this prayer of this application; (7) for operating convenience only, it is also proposed that closed door operations be permitted between the junction of Millburn Avenue and Route 24 to junction with Route 22, Union, N. J.

**HEARING:** March 18, 1957, at the New Jersey Board of Public Utility Commissioners State Office Bldg., Raymond Blvd., Newark, N. J., before Joint Board No. 3.

No. MC 114820 (Sub No. 1), filed December 26, 1956, JOHN HOELTING AND ROBERT BOENTE, doing business as HOELTING-BOENTE BUS COMPANY, 520 W. Main St., Carlinville, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers*, in charter operations, beginning and ending at Carlinville, Ill., and

extending to points in Missouri and Indiana.

**HEARING:** March 19, 1957, at the U. S. Court Rooms and Federal Bldg., Springfield, Ill., before Joint Board No. 160.

No. MC 116240, filed October 5, 1956, FOSTER WHITEHEAD, doing business as FOSTER'S TRANSPORTATION SERVICE, Y. M. C. A., Freeport, Ill. Applicant's representative: Robert D. Law, 11½ South Galena Avenue, Freeport, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at Freeport, Ill., and extending to Janesville and Beloit, Wis., Dubuque, Clinton, and Davenport, Iowa, and to points in Wisconsin, Iowa, and Illinois within one hundred and twenty (120) miles of Freeport, including Joliet, Elgin, Aurora, Rockford, LaSalle, De Kalb, South Beloit, Dixon, Sterling, Wheaton, Glenbard, Chicago and Belvidere, Ill.

**NOTE:** Applicant proposes to participate in junior high and high school athletic events.

**HEARING:** March 22, 1957, in Room 852, U. S. Custom House, 610 South Canal St., Chicago, Ill., before Examiner Edward Kobernusz.

No. MC 116370, filed December 28, 1957, HARRY LEON SILL and ELIZABETH L. SILL, a partnership, R. D. No. 2, Towanda, Pa. Applicant's representative: Andrew S. Moscrip, 306-8 Main Street, Towanda, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle, in round trip sightseeing tours, in special or charter operations, from points in Bradford County, Pa., except points in the Townships of Athens, Ulster, Litchfield, Smithfield, Sheshequin and Rome, and except the Boroughs of Athens, Sayre, South Waverly and Rome, to New York City, N. Y., and return.

**HEARING:** March 15, 1957, at the New Jersey Board of Public Utility Commissioners State Office Bldg., Raymond Blvd., Newark, N. J., before Joint Board No. 42.

No. MC 116385, filed January 17, 1957, ANTHONY S. KASPER, 7900 Pine Ave. Blvd., Niagara Falls, N. Y. Applicant's representative: Raymond A. Richards, 13 Lapham Park, P. O. Box 25, Webster, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, limited to not more than 7 passengers in a vehicle not including the driver and not including children under 10 years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, points in New York, including points in New York on the boundary between the United States and Canada at or near Niagara Falls, N. Y.

**HEARING:** March 19, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

##### MOTOR CARRIERS OF PROPERTY

No. MC 18257 (Sub No. 2), filed November 20, 1956, THOMAS BURKE AND EDWARD BURKE, doing business as BURKE BROTHERS, 909 Hickory Street, St. Louis, Mo. Applicant's representative: Ernest A. Brooks II, 1310 Ambassador Bldg., St. Louis 1, Mo. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Haydite and slag*, from points in Madison County, Ill., to St. Louis, Mo., and points in St. Louis and St. Charles Counties, Mo.

**NOTE:** Applicant is authorized to transport *Coal*, over irregular routes, from points in Illinois within fifty (50) miles of East St. Louis, Ill., to St. Louis, Mo., and points in St. Louis County, Mo.

No. MC 59583 (Sub No. 72), filed January 17, 1957, THE MASON & DIXON LINES, INCORPORATED, Eastman Road, Kingsport, Tenn. Applicant's representative: Clifford E. Sanders, 321 E. Center St., Kingsport, Tenn. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Greensboro, N. C. and Richmond, Va., from Greensboro over U. S. Highway 421 to junction North Carolina Highway 68, thence over North Carolina Highway 68 to junction U. S. Highway 158, thence over U. S. Highway 158 to junction U. S. Highway 29, thence over U. S. Highway 29 to Danville, Va., thence over U. S. Highway 58 to junction Virginia Highway 304, thence over Virginia Highway 304 to junction U. S. Highway 360, and thence over U. S. Highway 360 to Richmond, Va., and return over the same routes, as an alternate route for operating convenience only, serving no intermediate or off-route points, in connection with applicant's authorized regular route operations between Greensboro and Richmond over U. S. Highways 29, 460, and 60, and Virginia Highway 24. Applicant is authorized to conduct operations in Tennessee, Georgia, New York, New Jersey, Virginia, Pennsylvania, Maryland, Delaware, North Carolina, South Carolina, and the District of Columbia.

No. MC 89369 (Sub No. 9), filed December 26, 1956, JOART TRUCKING CO., 133 Albany St., P. O. Box 332, New Brunswick, N. J. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cresylic acid*, in bulk, in tank vehicles, from points in the New York, N. Y. Commercial Zone, as defined by the Commission, and Elizabeth, N. J., to Rotterdam Junction, N. Y., Schenectady, N. Y. and Stratford, Conn.; *returned shipments of cresylic acid* on return. Applicant is authorized to transport liquid commodities between Philadelphia, on the one hand, and, on the other, points in Delaware and New Jersey.

No. MC 109994 (Sub No. 13) (Correction), filed December 5, 1956, published page 204, issue of January 9, 1957.

OREN M. SIZER, doing business as SIZER GRAIN SERVICE, 407 Fourth Avenue, SE., Rochester, Minn. Applicant's representative: Claude J. Jasper, One Main St., Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Frozen packing-house by-products* and *frozen poultry by-products* not for human consumption and for animal consumption only, from Omaha, Nebr., Sioux City, Waterloo, Council Bluffs, Des Moines, Cedar Rapids, Atlantic, Estherville, and Fort Dodge, Iowa, St. Joseph, Kansas City, and Anderson, Mo., Denver, Colo., and South St. Paul, St. Paul, St. James, Austin, and Albert Lea, Minn., to points in South Dakota, Minnesota, Wisconsin, the Upper Peninsula of Michigan, and Illinois, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application from the above-designated destination points to the above-specified origin points.

NOTE: The destination points referred to above are restricted to *fur farms*.

No. MC 113533 (Sub No. 10), filed January 30, 1957, L. B. VINCENT GARDELLA, doing business as GARDELLA'S REFRIGERATED EXPRESS, 1951 East Ferry, Detroit, Mich. Applicant's representative: Wilhelmina Boersma, 2850 Penobscot Building, Detroit 26, Mich. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meat, meat products* and *meat by-products*, from North Walpole, N. H., to Marion, Ohio. Applicant is authorized to conduct operations in Connecticut, Massachusetts, Michigan, New Jersey, New York, Pennsylvania, and Rhode Island.

No. MC 114046 (Sub No. 3), filed December 6, 1956, LEONARD WEST, 308 Wolcott Avenue, Iron Mountain, Mich. Applicant's representative: Michael D. O'Hara, Spies Building, Menominee, Mich. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Malt beverages*, from St. Louis, Mo., to Republic, Mich., and St. Ignace, Mich., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return. Applicant is authorized to transport similar commodities in and through the States of Michigan, Illinois, Missouri, and Wisconsin.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 116066 (Sub No. 2), filed November 26, 1956, GEORGE WASHINGTON RICKETTS, R. F. D. 1, Federalsburg, Md. Applicant's representative: Francis W. McInerney, Commonwealth Bldg., 1625 K Street, NW., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers*, in special operations, between Bridgeville and Greenwood, Del., and points within five (5) miles of each, on the one hand, and, on the other, Federalsburg, Md., and points within five (5) miles of Federalsburg. Issues originally published in the December 19, 1956, issue of the FEDERAL REGISTER. The hearing previously assigned in

the application was cancelled upon the filing of verified statements on behalf of applicant.

No. MC 116338, filed December 6, 1956, GRANT BALL, South Millbrook, N. Y. Applicant's representative: John J. Brady, Jr., 75 State St., Albany 7, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations beginning and ending at Millbrook, N. Y., and extending to points in Massachusetts, Connecticut, Vermont, Rhode Island, New Hampshire and New Jersey, during the season extending from September 10 to June 15 inclusive.

#### 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 (2) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto. (FEDERAL REGISTER, Volume 21, page 7339, § 1.240, September 26, 1956.)

#### MOTOR CARRIERS OF PROPERTY

No. MC-F 6494, published in the January 16, 1957, issue of the FEDERAL REGISTER on page 339. Amendment filed February 4, 1957, to show transaction as one for *control and merger* in lieu of *control*. The operating rights set forth in the original publication should be corrected to read: " \* \* \* between La Grange, Ga., on the one hand, and, on the other, points in Alabama, and between La Grange, Ga., on the one hand, and, on the other, points in Georgia."

No. MC-F 6504. Authority sought for purchase by DAHLEN TRANSPORT OF IOWA, INC., 875 North Prior Avenue, St. Paul, Minn., of the operating rights and property of JOHN W. DAHLEN, doing business as DAHLEN TRANSPORT COMPANY, 875 North Prior Avenue, St. Paul, Minn., and for acquisition by JOHN W. DAHLEN and EDNA A. DAHLEN, both of St. Paul, of control of such rights and property through the purchase. Applicant's representatives: Gerald L. Phelps and John R. Sims, Jr., both of Munsey Bldg., Washington 4, D. C. Operating rights sought to be transferred: *Petroleum products*, in bulk, in tank vehicles, as a *common carrier* over irregular routes from Clear Lake, Iowa, and points within five miles thereof, to certain points in Minnesota. Vendee holds no authority from this Commission, but JOHN W. DAHLEN and EDNA A. DAHLEN are affiliated with DAHLEN TRANSPORT, INC., which is authorized to operate as a *common carrier* in Minnesota. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6505. Authority sought for control by BOLIN DRIVE-A-WAY CO., 26400 Lakeland Blvd., Cleveland, Ohio, of CENTRAL CAR CARRIERS, INC., 380 Hopkins Street, Buffalo, N. Y., and for acquisition by GLEN O. BOLIN, RHEA I. BOLIN and MARY E. RICE, all of Cleveland, of control of CENTRAL CAR CARRIERS, INC., through the ac-

quisition by BOLIN DRIVE-A-WAY CO. Applicant's representative: Horace L. Taylor, Vice President and General Manager of Bolin Drive-A-Way Co., 26400 Lakeland Blvd., Cleveland 32, Ohio. Operating rights sought to be controlled: *Automobiles*, in truckaway service, as a *common carrier* over irregular routes, from Buffalo, N. Y., Detroit, Mich., and a point on U. S. Highway 24 just north of Toledo, Ohio, where the Michigan-Ohio State line crosses U. S. Highway 24, to New York, N. Y., and Mamaroneck, N. Y., Stroudsburg and Scranton, Pa., and points within 20 miles of Scranton, and points in Bergen, Hudson, and Passaic Counties, N. J.; *new automobiles, automobile chassis, automobile bodies, and parts and accessories* when moving in connection therewith, and *automobile show equipment and paraphernalia, farm and garden tractors, and parts and accessories* when moving in connection therewith, from Willow Run, Washtenaw County, Mich., to certain points in New York, Pennsylvania and New Jersey; *new automobiles*, in secondary movements, in driveaway service, during the season of open navigation on the Great Lakes, from Buffalo, N. Y., to points in Connecticut, Massachusetts, New Jersey, New York, and Vermont; *new automobiles*, in secondary movements, in truckaway service, during the season of open navigation on the Great Lakes, from Buffalo, N. Y., to points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Vermont; *automobiles, trucks, chassis, bodies and display paraphernalia and accessories* when moving in connection therewith, in initial movements, in truckaway and driveaway service, from points in Washtenaw County, Mich., to points in Maine, New Hampshire, and Rhode Island, restricted to traffic originating at points in Washtenaw County, Mich.; *automobiles, trucks, chassis, bodies, and display paraphernalia and accessories* when moving in connection therewith, in secondary movements, in truckaway and driveaway service, from Buffalo, N. Y., to points in Maine, New Hampshire, and Rhode Island, restricted to traffic originating at points in Washtenaw County, Mich.; *new automobiles and automobile chassis*, in initial movements, in truckaway and driveaway service, and *new automobile bodies, and automobile show equipment and paraphernalia* in connection therewith, from points in Washtenaw County, Mich., to points in Connecticut, Massachusetts, New Jersey, New York, and Vermont, and Philadelphia, Pa., and points within 25 miles of Philadelphia. BOLIN DRIVE-A-WAY CO. is authorized to operate as a *common carrier* in all States in the United States and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6506. Authority sought by VIKING FREIGHT COMPANY, 614 South Sixth Street, St. Louis, Mo., to merge the operating rights and property of COOK TRUCK LINES, INC., 25 East Virginia Avenue, Memphis, Tenn., and for acquisition by ELMER WEILBACHER and C. F. WEILBACHER, both of St. Louis, and LEO A. WEILBACHER, of Columbia, Ill., of control of such rights

through the transaction. Applicant's representative: B. W. LaTourette, 1230 Boatmen's Bank Bldg., St. Louis 2, Mo. Operating rights sought to be merged: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes including routes between Memphis, Tenn., and Nashville, Tenn., Calhoun City, Clarksdale and Meridian, Miss., between Philadelphia, Miss., and New Orleans, La., between Paris, Tenn., and Como and Bruceton, Tenn., between Atwood and Dover, Tenn., and Nashville, Tenn., between Clarksdale, Miss., and Greenville and Jackson, Miss., between Yazoo City, Miss., and Tutwiler, Miss., and between New Orleans, La., and Meridian, Miss., serving certain intermediate and off-route points; numerous alternate routes for operating convenience only; *petroleum and petroleum products in containers*, from New Orleans, La., to Houston, Aberdeen and Centreville, Miss., serving certain intermediate and off-route points; *canned goods*, between Laurel, Miss., and Biloxi, Miss., serving the intermediate point of Gulfport, Miss.; *canned goods, masonite*, and *mason and masonite supplies*, between Laurel, Miss., and Baton Rouge, La., serving the intermediate point of Columbia, Miss., and the off-route points of Bogalusa and Covington, La.; *cotton*, over irregular routes, from Carthage, Newton and Taylorsville, Miss., to New Orleans, La. VIKING FREIGHT COMPANY is authorized to operate as a *common carrier* in Missouri, Illinois, Arkansas, Tennessee, Indiana, Ohio, Kentucky, Oklahoma and Texas. Application has not been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F. R. Doc. 57-1095; Filed, Feb. 12, 1957;  
8:50 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF  
FEBRUARY 8, 1957.

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. 33243: *Newsprint—Mobile, Ala., to Mississippi*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on newsprint paper, carloads, and newsprint paper winding cores, carloads, in reverse direction, from Mobile, Ala., to Jackson, McComb and Vicksburg, Miss.

Grounds for relief: Circuitous routes. Tariff: Supplement 66 to Agent Spaninger's tariff I. C. C. 1466.

FSA No. 33244: *Iron and steel pipe—Milwaukee, Wis., to Superior, Wis.* Filed by W. J. Prueter, Agent, for the Chicago, Milwaukee, St. Paul and Pacific Railroad Company. Rates on iron and steel pipe and fittings, carloads from Milwaukee, Wis., to Superior, Wis.

Grounds for relief: Circuitous interstate route meeting competition of direct intrastate route.

Tariff: Supplement 134 to Agent Prueter's tariff I. C. C. A-3910.

FSA No. 33245: *Salt—Louisiana and Texas to Mississippi Points*. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on mine run salt, carloads from Anse La Butte, Avery Island, Carla, Jefferson Island, Winnfield, Weeks, La., and Grand Saline, Tex., to Columbus and Whitbury, Miss.

Grounds for relief: Modified market competition at destinations and circuitous routes.

Tariff: Supplement 86 to Agent Kratzmeir's tariff I. C. C. 3903.

FSA No. 33246: *Crude Rubber—Louisiana and Texas to Muskogee, Okla.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on crude rubber, viz., artificial synthetic or neoprene, straight or mixed carloads from Baton Rouge, La., Houston and Odessa, Tex., and other specified points in Louisiana and Texas to Muskogee, Okla.

Grounds for relief: Short-line distance formula, market competition, and circuitous routes.

Tariffs: Supplement 118 to Agent Kratzmeir's tariff I. C. C. 4025. Supplement 27 to Agent Kratzmeir's tariff I. C. C. 4179.

FSA No. 33247: *Concrete slabs between points in Southern Territory*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on concrete slabs, building or roofing, carloads, as more fully described in the application, between points in southern territory.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 2 to Agent Spaninger's tariff I. C. C. 1571.

FSA No. 33248: *Clay between points in Southern Territory*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on clay, kaolin or pyrophyllite, carloads from and to specified points in southeastern states including Florida.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 58 to Agent Spaninger's tariff I. C. C. 1491.

FSA No. 33249: *Fullers earth—Florida and Georgia points to Destrehan, La.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on fullers earth, carloads from Jamieson, Magnet Cove and Quincy, Fla., Attapulugus, Faceville, Quality, and Roddenbery, Ga., to Destrehan, La.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 58 to Agent Spaninger's tariff I. C. C. 1491.

FSA No. 33250: *Canned or preserved foodstuffs between Chesapeake Western Railway Stations and the South*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on canned or preserved foodstuffs and related articles, carloads between Chesapeake Western Railway stations in Virginia, on the one hand, and points in southern territory, on the other.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 2 to Agent Spaninger's tariff I. C. C. 1571.

FSA No. 33251: *Liquefied petroleum gas—Kansas to Salt Lake City, Utah*. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on liquefied petroleum gas, tank-car loads from Hickok, Hugoton, Stano and Ulysses, Kans., to Salt Lake City, Utah.

Grounds for relief: Circuitous routes.

Tariff: Supplement 68 to Agent Kratzmeir's tariff I. C. C. 4066.

FSA No. 33252: *Lime and plaster—Iron range cities to Breckenridge, Minn.* Filed by The Great Northern Railway Company, for itself and on behalf of the Duluth, Missabe and Iron Range Railway Company. Rates on lime, carloads, and stucco or plaster, carloads from Duluth, Steelton (Duluth), Minn., and Superior, Wis., to Breckenridge, Minn.

Grounds for relief: Circuitous routes.

Tariff: Great Northern Railway Company's tariff I. C. C. A-8871.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F. R. Doc. 57-1092; Filed, Feb. 12, 1957;  
8:49 a. m.]

[No. 32089 (Sub. No. 1)]

CALIFORNIA INTRASTATE FREIGHT RATES  
AND CHARGES AS RELATED TO EX PARTE  
NO. 206 INCREASES

At a Session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 31st day of January A. D. 1957.

It appearing that in Ex Parte No. 206, Increased Freight Rates, Eastern and Western Territories, 1956 (decided December 17, 1956) the Commission authorized carriers subject to the Interstate Commerce Act, parties thereto, to make certain emergency increases in their freight rates and charges for interstate application in Eastern and Western Territories and between points in those territories and Southern Territory, and that increases under such authorizations have been made;

It further appearing that a petition dated December 28, 1956, has been filed on behalf of The Atchison, Topeka and Santa Fe Railway Company and other common carriers by railroad, listed in Appendix A thereof, averring that the Public Utilities Commission of California has failed to authorize or permit increases in rates and charges on intrastate traffic upon their railroads in California corresponding to those authorized by this Commission and made by petitioners for application on interstate traffic in Ex Parte No. 206, supra, thereby resulting in undue and unreasonable advantage, preference and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, and in undue, unreasonable, and unjust discrimination against interstate and foreign commerce, in violation of section 13 of the Interstate Commerce Act;

It further appearing that there have been brought in issue by the said peti-

OREN M. SIZER, doing business as SIZER GRAIN SERVICE, 407 Fourth Avenue, SE., Rochester, Minn. Applicant's representative: Claude J. Jasper, One Main St., Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Frozen packing-house by-products* and *frozen poultry by-products* not for human consumption and for animal consumption only, from Omaha, Nebr., Sioux City, Waterloo, Council Bluffs, Des Moines, Cedar Rapids, Atlantic, Esterville, and Fort Dodge, Iowa, St. Joseph, Kansas City, and Anderson, Mo., Denver, Colo., and South St. Paul, St. Paul, St. James, Austin, and Albert Lea, Minn., to points in South Dakota, Minnesota, Wisconsin, the Upper Peninsula of Michigan, and Illinois, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application from the above-designated destination points to the above-specified origin points.

NOTE: The destination points referred to above are restricted to *fur farms*.

No. MC 113533 (Sub No. 10), filed January 30, 1957, L. B. VINCENT GARDELLA, doing business as GARDELLA'S REFRIGERATED EXPRESS, 1951 East Ferry, Detroit, Mich. Applicant's representative: Wilhelmina Boersma, 2850 Penobscot Building, Detroit 26, Mich. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meat, meat products* and *meat by-products*, from North Walpole, N. H., to Marion, Ohio. Applicant is authorized to conduct operations in Connecticut, Massachusetts, Michigan, New Jersey, New York, Pennsylvania, and Rhode Island.

No. MC 114046 (Sub No. 3), filed December 6, 1956, LEONARD WEST, 308 Wolcott Avenue, Iron Mountain, Mich. Applicant's representative: Michael D. O'Hara, Spies Building, Menominee, Mich. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Malt beverages*, from St. Louis, Mo., to Republic, Mich., and St. Ignace, Mich., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return. Applicant is authorized to transport similar commodities in and through the States of Michigan, Illinois, Missouri, and Wisconsin.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 116066 (Sub No. 2), filed November 26, 1956, GEORGE WASHINGTON RICKETTS, R. F. D. 1, Federalsburg, Md. Applicant's representative: Francis W. McInerney, Commonwealth Bldg., 1625 K Street, NW., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers*, in special operations, between Bridgeville and Greenwood, Del., and points within five (5) miles of each, on the one hand, and, on the other, Federalsburg, Md., and points within five (5) miles of Federalsburg. Issues originally published in the December 19, 1956, issue of the FEDERAL REGISTER. The hearing previously assigned in

the application was cancelled upon the filing of verified statements on behalf of applicant.

No. MC 116338, filed December 6, 1956, GRANT BALL, South Millbrook, N. Y. Applicant's representative: John J. Brady, Jr., 75 State St., Albany 7, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations beginning and ending at Millbrook, N. Y., and extending to points in Massachusetts, Connecticut, Vermont, Rhode Island, New Hampshire and New Jersey, during the season extending from September 10 to June 15 inclusive.

#### 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 (2) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto. (FEDERAL REGISTER, Volume 21, page 7339, § 1.240, September 26, 1956.)

#### MOTOR CARRIERS OF PROPERTY

No. MC-F 6494, published in the January 16, 1957, issue of the FEDERAL REGISTER on page 339. Amendment filed February 4, 1957, to show transaction as one for *control and merger* in lieu of *control*. The operating rights set forth in the original publication should be corrected to read: " \* \* \* between La Grange, Ga., on the one hand, and, on the other, points in Alabama, and between La Grange, Ga., on the one hand, and, on the other, points in Georgia."

No. MC-F 6504. Authority sought for purchase by DAHLEN TRANSPORT OF IOWA, INC., 875 North Prior Avenue, St. Paul, Minn., of the operating rights and property of JOHN W. DAHLEN, doing business as DAHLEN TRANSPORT COMPANY, 875 North Prior Avenue, St. Paul, Minn., and for acquisition by JOHN W. DAHLEN and EDNA A. DAHLEN, both of St. Paul, of control of such rights and property through the purchase. Applicant's representatives: Gerald L. Phelps and John R. Sims, Jr., both of Munsey Bldg., Washington 4, D. C. Operating rights sought to be transferred: *Petroleum products*, in bulk, in tank vehicles, as a *common carrier* over irregular routes from Clear Lake, Iowa, and points within five miles thereof, to certain points in Minnesota. Vendee holds no authority from this Commission, but JOHN W. DAHLEN and EDNA A. DAHLEN are affiliated with DAHLEN TRANSPORT, INC., which is authorized to operate as a *common carrier* in Minnesota. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6505. Authority sought for control by BOLIN DRIVE-A-WAY CO., 26400 Lakeland Blvd., Cleveland, Ohio, of CENTRAL CAR CARRIERS, INC., 380 Hopkins Street, Buffalo, N. Y., and for acquisition by GLEN O. BOLIN, RHEA I. BOLIN and MARY E. RICE, all of Cleveland, of control of CENTRAL CAR CARRIERS, INC., through the ac-

quisition by BOLIN DRIVE-A-WAY CO. Applicant's representative: Horace L. Taylor, Vice President and General Manager of Bolin Drive-A-Way Co., 26400 Lakeland Blvd., Cleveland 32, Ohio. Operating rights sought to be controlled: *Automobiles*, in truckaway service, as a *common carrier* over irregular routes, from Buffalo, N. Y., Detroit, Mich., and a point on U. S. Highway 24 just north of Toledo, Ohio, where the Michigan-Ohio State line crosses U. S. Highway 24, to New York, N. Y., and Mamaroneck, N. Y., Stroudsburg and Scranton, Pa., and points within 20 miles of Scranton, and points in Bergen, Hudson, and Passaic Counties, N. J.; *new automobiles, automobile chassis, automobile bodies, and parts and accessories* when moving in connection therewith, and *automobile show equipment and paraphernalia, farm and garden tractors, and parts and accessories* when moving in connection therewith, from Willow Run, Washtenaw County, Mich., to certain points in New York, Pennsylvania and New Jersey; *new automobiles*, in secondary movements, in driveaway service, during the season of open navigation on the Great Lakes, from Buffalo, N. Y., to points in Connecticut, Massachusetts, New Jersey, New York, and Vermont; *new automobiles*, in secondary movements, in truckaway service, during the season of open navigation on the Great Lakes, from Buffalo, N. Y., to points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Vermont; *automobiles, trucks, chassis, bodies and display paraphernalia and accessories* when moving in connection therewith, in initial movements, in truckaway and driveaway service, from points in Washtenaw County, Mich., to points in Maine, New Hampshire, and Rhode Island, restricted to traffic originating at points in Washtenaw County, Mich.; *automobiles, trucks, chassis, bodies, and display paraphernalia and accessories* when moving in connection therewith, in secondary movements, in truckaway and driveaway service, from Buffalo, N. Y., to points in Maine, New Hampshire, and Rhode Island, restricted to traffic originating at points in Washtenaw County, Mich.; *new automobiles and automobile chassis*, in initial movements, in truckaway and driveaway service, and *new automobile bodies, and automobile show equipment and paraphernalia* in connection therewith, from points in Washtenaw County, Mich., to points in Connecticut, Massachusetts, New Jersey, New York, and Vermont, and Philadelphia, Pa., and points within 25 miles of Philadelphia. BOLIN DRIVE-A-WAY CO. is authorized to operate as a *common carrier* in all States in the United States and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6506. Authority sought by VIKING FREIGHT COMPANY, 614 South Sixth Street, St. Louis, Mo., to merge the operating rights and property of COOK TRUCK LINES, INC., 25 East Virginia Avenue, Memphis, Tenn., and for acquisition by ELMER WEILBACHER and C. F. WEILBACHER, both of St. Louis, and LEO A. WEILBACHER, of Columbia, Ill., of control of such rights



through the transaction. Applicant's representative: B. W. LaTourette, 1230 Boatmen's Bank Bldg., St. Louis 2, Mo. Operating rights sought to be merged: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes including routes between Memphis, Tenn., and Nashville, Tenn., Calhoun City, Clarksdale and Meridian, Miss., between Philadelphia, Miss., and New Orleans, La., between Paris, Tenn., and Como and Bruceton, Tenn., between Atwood and Dover, Tenn., and Nashville, Tenn., between Clarksdale, Miss., and Greenville and Jackson, Miss., between Yazoo City, Miss., and Tutwiler, Miss., and between New Orleans, La., and Meridian, Miss., serving certain intermediate and off-route points; numerous alternate routes for operating convenience only; *petroleum and petroleum products in containers*, from New Orleans, La., to Houston, Aberdeen and Centreville, Miss., serving certain intermediate and off-route points; *canned goods*, between Laurel, Miss., and Biloxi, Miss., serving the intermediate point of Gulfport, Miss.; *canned goods, masonite, and mason and masonite supplies*, between Laurel, Miss., and Baton Rouge, La., serving the intermediate point of Columbia, Miss., and the off-route points of Bogalusa and Covington, La.; *cotton*, over irregular routes, from Carthage, Newton and Taylorsville, Miss., to New Orleans, La. VIKING FREIGHT COMPANY is authorized to operate as a *common carrier* in Missouri, Illinois, Arkansas, Tennessee, Indiana, Ohio, Kentucky, Oklahoma and Texas. Application has not been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F. R. Doc. 57-1095; Filed, Feb. 12, 1957;  
8:50 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF  
FEBRUARY 8, 1957.

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. 33243: *Newsprint—Mobile, Ala., to Mississippi*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on newsprint paper, carloads, and newsprint paper winding cores, carloads, in reverse direction, from Mobile, Ala., to Jackson, McComb and Vicksburg, Miss.

Grounds for relief: Circuitous routes. Tariff: Supplement 66 to Agent Spaninger's tariff I. C. C. 1466.

FSA No. 33244: *Iron and steel pipe—Milwaukee, Wis., to Superior, Wis.* Filed by W. J. Prueter, Agent, for the Chicago, Milwaukee, St. Paul and Pacific Railroad Company. Rates on iron and steel pipe and fittings, carloads from Milwaukee, Wis., to Superior, Wis.

Grounds for relief: Circuitous interstate route meeting competition of direct intrastate route.

Tariff: Supplement 134 to Agent Prueter's tariff I. C. C. A-3910.

FSA No. 33245: *Salt—Louisiana and Texas to Mississippi Points*. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on mine run salt, carloads from Anse La Butte, Avery Island, Carla, Jefferson Island, Winnfield, Weeks, La., and Grand Saline, Tex., to Columbus and Whitbury, Miss.

Grounds for relief: Modified market competition at destinations and circuitous routes.

Tariff: Supplement 86 to Agent Kratzmeir's tariff I. C. C. 3903.

FSA No. 33246: *Crude Rubber—Louisiana and Texas to Muskogee, Okla.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on crude rubber, viz., artificial synthetic or neoprene, straight or mixed carloads from Baton Rouge, La., Houston and Odessa, Tex., and other specified points in Louisiana and Texas to Muskogee, Okla.

Grounds for relief: Short-line distance formula, market competition, and circuitous routes.

Tariffs: Supplement 118 to Agent Kratzmeir's tariff I. C. C. 4025. Supplement 27 to Agent Kratzmeir's tariff I. C. C. 4179.

FSA No. 33247: *Concrete slabs between points in Southern Territory*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on concrete slabs, building or roofing, carloads, as more fully described in the application, between points in southern territory.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 2 to Agent Spaninger's tariff I. C. C. 1571.

FSA No. 33248: *Clay between points in Southern Territory*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on clay, kaolin or pyrophyllite, carloads from and to specified points in southeastern states including Florida.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 58 to Agent Spaninger's tariff I. C. C. 1491.

FSA No. 33249: *Fullers earth—Florida and Georgia points to Destrehan, La.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on fullers earth, carloads from Jamieson, Magnet Cove and Quincy, Fla., Attapulcus, Faceville, Quality, and Roddenbery, Ga., to Destrehan, La.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 58 to Agent Spaninger's tariff I. C. C. 1491.

FSA No. 33250: *Canned or preserved foodstuffs between Chesapeake Western Railway Stations and the South*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on canned or preserved foodstuffs and related articles, carloads between Chesapeake Western Railway stations in Virginia, on the one hand, and points in southern territory, on the other.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 2 to Agent Spaninger's tariff I. C. C. 1571.

FSA No. 33251: *Liquefied petroleum gas—Kansas to Salt Lake City, Utah*. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on liquefied petroleum gas, tank-car loads from Hickok, Hugoton, Stano and Ulysses, Kans., to Salt Lake City, Utah.

Grounds for relief: Circuitous routes.

Tariff: Supplement 68 to Agent Kratzmeir's tariff I. C. C. 4066.

FSA No. 33252: *Lime and plaster—Iron range cities to Breckenridge, Minn.* Filed by The Great Northern Railway Company, for itself and on behalf of the Duluth, Missabe and Iron Range Railway Company. Rates on lime, carloads, and stucco or plaster, carloads from Duluth, Steelton (Duluth), Minn., and Superior, Wis., to Breckenridge, Minn.

Grounds for relief: Circuitous routes.

Tariff: Great Northern Railway Company's tariff I. C. C. A-8871.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F. R. Doc. 57-1092; Filed, Feb. 12, 1957;  
8:49 a. m.]

[No. 32089 (Sub. No. 1)]

CALIFORNIA INTRASTATE FREIGHT RATES AND CHARGES AS RELATED TO EX PARTE NO. 206 INCREASES

At a Session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 31st day of January A. D. 1957.

It appearing that in Ex Parte No. 206, Increased Freight Rates, Eastern and Western Territories, 1956 (decided December 17, 1956) the Commission authorized carriers subject to the Interstate Commerce Act, parties thereto, to make certain emergency increases in their freight rates and charges for interstate application in Eastern and Western Territories and between points in those territories and Southern Territory, and that increases under such authorizations have been made;

It further appearing that a petition dated December 28, 1956, has been filed on behalf of The Atchison, Topeka and Santa Fe Railway Company and other common carriers by railroad, listed in Appendix A thereof, averring that the Public Utilities Commission of California has failed to authorize or permit increases in rates and charges on intrastate traffic upon their railroads in California corresponding to those authorized by this Commission and made by petitioners for application on interstate traffic in Ex Parte No. 206, supra, thereby resulting in undue and unreasonable advantage, preference and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, and in undue, unreasonable, and unjust discrimination against interstate and foreign commerce, in violation of section 13 of the Interstate Commerce Act;

It further appearing that there have been brought in issue by the said peti-

tion rates and charges made or imposed by authority of the State of California;

And it further appearing that the Public Utilities Commission of California on January 17, 1957, filed an answer to petitioners' petition:

*It is ordered*, That, in response to the said petition, an investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from the respondents hereinafter designated and any other interested parties to determine whether the rates and charges of the common carriers by railroad, or any of them, operating in the State of California, for the intrastate transportation of property, made or imposed by authority of the State of California, cause or will cause, by reason of the failure of such rates and charges to include increases corresponding to those permitted by the Commission for interstate traffic in Ex Parte No. 206, supra, any undue or unreasonable advantage, preference, or prejudice, as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce in violation of section 13 of the Interstate Commerce Act, with the exception of certain commodity and class rates as shown in Appendix A set forth below, and to determine what rates and charges, if any, or what maximum or minimum, or maximum and minimum, rates and charges shall be prescribed to remove the unlawful advantage, preference, prejudice, or discrimination, if any, that may be found to exist;

*It is further ordered*, That all common carriers by railroad operating within the State of California, which are subject to the jurisdiction of this Commission, be, and they are hereby, made respondents to this proceeding, that a copy of this order be served upon each of the said respondents, and that the State of California be notified of the proceeding by sending copies of this order and of said petition by registered mail to the Governor of the said State, and to the Public Utilities Commission of California at San Francisco, Calif.;

*It is further ordered*, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., for public inspection and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.;

*And it is further ordered*, That this proceeding be assigned for hearing at such time and place as the Commission may hereafter designate.

By the Commission, Division 2:

[SEAL] HAROLD D. MCCOY,  
Secretary.

APPENDIX A—COMMODITY AND CLASS RATES WHICH PETITIONERS, FOR COMPETITIVE AND OTHER REASONS, DO NOT DESIRE TO INCREASE AS THE RESULT OF ITS PETITION DATED DECEMBER 28, 1956

(1) Commodity rates on refined petroleum products in tank cars, taking Column 1-A rates in Pacific Southcoast Freight Bureau Tariff No. 252-D, and now referenced "(X)";

(2) Class and commodity rates now in Pacific Southcoast Freight Bureau Tariff No. 255-F;

(3) The following rates, charges and provisions of Pacific Southcoast Freight Bureau Tariff No. 294:

Item 180, paragraph (b) only;  
Items 210, 270, 710, 730, 740 and 760;  
All class rates in Section 1 of said tariff;  
Items 1700 to 1723, inclusive; 1725; 1730 to 1834, inclusive; 1840, 1850, 1860, 1870 to 1900, inclusive; 1920 to 1955, inclusive; 1970, except rate of 61½ cents; 1980, 1990, 2010, 2030 to 2055, inclusive; 2060, except rate of 48½ cents; 2070 to 2090, inclusive; 2095; 2100; 2110; 2120; 2130, and 2140.

[F. R. Doc. 57-1093 Filed, Feb. 12, 1957; 8:49 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3556]

SOUTHERN CO. ET AL.

NOTICE OF FILING OF APPLICATION-DECLARATION REGARDING ISSUE AND SALE OF COMMON STOCK BY PARENT, PURSUANT TO RIGHTS OFFERING, AND ISSUE AND SALE OF COMMON STOCK BY SUBSIDIARIES AND ACQUISITION THEREOF BY PARENT

FEBRUARY 7, 1957.

In the matter of The Southern Company, Alabama Power Company, Georgia Power Company; File No. 70-3556.

Notice is hereby given that The Southern Company ("Southern"), a registered holding company, and Alabama Power Company ("Alabama"), and Georgia Power Company ("Georgia"), both public-utility subsidiaries of Southern, have jointly filed an application-declaration with this Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("act") and the rules and regulations promulgated thereunder. Applicants-declarant have designated sections 6 (a), 6 (b), 7, 9 (a), 10, 12 (c), and 12 (f) of the act and Rules U-42, U-43 and U-50 as applicable to the proposed transactions.

All interested persons are referred to the application-declaration on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Southern proposes to issue and sell 1,507,304 shares of its authorized but unissued common stock, par value \$5 per share ("Additional Common Stock"), and to offer to the holders of its outstanding common stock the right to subscribe for such shares on the basis of one share of Additional Common Stock for each 13 shares of common stock held on the record date. Rights to subscribe will be evidenced by transferable registered Subscription Warrants and no fractional shares of Additional Common Stock are to be issued. Southern will provide facilities through its subscription agent so that rights (not exceeding 12) may be sold or purchased.

The offer of the Additional Common Stock will be underwritten. Southern proposes publicly to invite bids and such invitation will request prospective underwriters, among other things, to agree to purchase any shares not subscribed for as a result of the offering to stockholders and to buy shares purchased by South-

ern, if any, in connection with stabilizing activities referred to below.

The subscription price per share at which the company proposes to offer the Additional Common Stock to its common stockholders and to underwriters will be determined by Southern. Prospective underwriters who have qualified to bid on the shares of Additional Common Stock will be notified of the price per share at least 20 hours prior to the time for the submission of bids. Such price will not be more than the last reported sale price on the New York Stock Exchange prior to the fixing thereof and not less than such last reported sale price less 15 percent.

Southern proposes, if it considers it necessary or desirable, to effect transactions which stabilize or maintain the market price of its common stock for the purpose of facilitating the offering and distribution of the Additional Common Stock. In connection therewith, Southern may, during the period commencing with the first business day prior to the date when the price per share is to be determined and continuing until the acceptance of a bid for the Additional Common Stock from underwriters, purchase not in excess of 150,730 shares of its stock through regular brokerage channels.

Southern proposes to apply the proceeds from the sale of the Additional Common Stock to the purchase during 1957 at \$100 per share of up to 92,500 additional shares of common stock to be issued by Alabama and up to 197,500 additional shares of common stock to be issued by Georgia. Alabama and Georgia propose to use the proceeds from the sales of their stock to provide a portion of the funds required to complete their initial aggregate \$2,000,000 investment in the capital stock of Southern Electric Generating Company, to finance improvements, extensions and additions to their respective utility plants, and, in the case of Georgia, to pay off any bank loans of up to \$11,000,000 which may be made in connection with its contemplated purchase of the assets of Georgia Power and Light Company and a transmission line of Florida Power Corporation.

No State commission and no Federal commission, other than this Commission, has jurisdiction over the issuance and sale of the Additional Common Stock by Southern. Applications for authorization to issue and sell additional shares of the common stocks of Alabama and Georgia have been made to the Alabama Public Service Commission and the Georgia Public Service Commission which have jurisdiction over the issuance of securities by public utility companies operating in their respective states.

Notice is further given that any interested persons may, not later than February 27, 1957, at 5:30 p. m., request the Commission 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, if any, raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon.

Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said application-declaration, as filed or as amended, may be granted or permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 57-1086; Filed, Feb. 12, 1957;  
8:47 a. m.]

**DEPARTMENT OF JUSTICE**

**Office of Alien Property**

[Vesting Order SA-156]

KURSCHNER UND RAUCHWARENFABRIK, A. G.

In re: Debt owing to Kurschner und Rauchwarenfabrik, A. G., F-34-1096.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of the New York Trust Company, 100 Broadway, New York, N. Y., arising out of an account in the name of Kurschner und Rauchwarenfabrik, A. G., Kiraly Ucca 35, Budapest VII, Hungary, maintained by the aforesaid company together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by Kurschner und Rauchwarenfabrik, A. G., Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Set-

tlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on February 7, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 57-1102; Filed, Feb. 12, 1957;  
8:51 a. m.]

[Vesting Order SA-157]

HUNGARIAN RUBBER GOODS FACTORY LTD.

In re: Debt owing to Hungarian Rubber Goods Factory Ltd. (Ungarische Gummiwaarenfabriks Aktiengesellschaft); F34-1127.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, N. Y., arising out of a deposit account entitled "Hungarian Rubber Goods Factory Ltd.", maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by Hungarian Rubber Goods Factory Ltd., Budapest, Hungary, a national of Hungary as defined in Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with

directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on February 7, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 57-1103; Filed, Feb. 12, 1957;  
8:51 a. m.]

[Vesting Order SA-158]

HUNGARIAN RUBBER GOODS FACTORY LTD.

Re: Debt owing to Hungarian Rubber Goods Factory Ltd. (Ungarische Gummiwaarenfabriks Aktiengesellschaft); F34-1127.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of The Meyercord Co., Chicago, Illinois, arising out of the licensing of a United States Patent, No. 1,597,602, by Hungarian Rubber Goods Factory Ltd. to Charles F. Traung of San Francisco, California, who subsequently assigned his interest in the agreement to The Meyercord Co., together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by Hungarian Rubber Goods Factory Ltd., Budapest, Hungary, a national of Hungary as defined in Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property

described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person

shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on February 7, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,  
*Assistant Attorney General,*  
*Director, Office of Alien Property.*

[F. R. Doc. 57-1104; Filed, Feb. 12, 1957;  
8:51 a. m.]

