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FEDERAL REGISTER

VOLUME 27 NUMBER 44

Washington, Tuesday, March 6, 1962

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11008

CREATING AN EMERGENCY BOARD TO INVESTIGATE DISPUTE BETWEEN THE AKRON & BARBERTON BELT RAILROAD COMPANY AND OTHER CARRIERS AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between the Akron & Barberton Belt Railroad Company and other carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees, designated in List A attached hereto and made a part hereof, and certain of their employees represented by the Eleven Cooperating Railway Labor Organizations, labor organizations, designated in List B attached hereto and made a part hereof; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member of the board shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier.

The board shall report its findings to the President with respect to the dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Akron & Barberton Belt Railroad Company and other carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committee, or by their employees, in the conditions out of which the dispute arose.

JOHN F. KENNEDY

THE WHITE HOUSE,
March 3, 1962.

LIST A

EASTERN RAILROADS

Akron & Barberton Belt Railroad Company
Akron, Canton & Youngstown Railroad Company
Ann Arbor Railroad Company
Baltimore & Ohio Railroad Company
  Baltimore & Ohio Chicago Terminal Railroad Company
  Staten Island Rapid Transit Railway Company
Bessemer and Lake Erie Railroad Company
Boston & Maine Railroad
Brooklyn Eastern District Terminal
Buffalo Creek Railroad
Bush Terminal Railroad Company
Canadian National Railways
Canadian Pacific Railway Company
The Central Railroad Company of New Jersey
  New York & Long Branch R.R. Company
Central Vermont Railway, Inc.
Chicago Union Station Company
Cinicinnati Union Terminal Company
Dayton Union Railway Company
Delaware and Hudson Railroad Corporation
Detroit and Toledo Shore Line Railroad Company
Detroit Terminal Railroad Company
Detroit, Toledo and Ironton Railroad Company
Erie-Lackawanna Railroad Company
Grand Trunk Western Railroad Company
The Indianapolis Union Railway Company

The Lehigh and Hudson River Railway Company
Lehigh Valley Railroad Company
Long Island Railroad Company
Maine Central Railroad Company
  Portland Terminal Company
Monon Railroad Company
Monongahela Railway Company
Montour Railroad Company
NEW YORK CENTRAL SYSTEM
  New York Central Railroad Company
    New York District (Including Grand Central Terminal)
    Eastern District (Including Boston & Albany Division)
    Western District
    Northern District
    Southern District
  Indiana Harbor Belt Railroad Company
  Chicago River & Indiana Railroad Company
  Pittsburgh & Lake Erie Railroad Company
    Lake Erie and Eastern Railroad Company
  Cleveland Union Terminals Company
  Troy Union Railroad Company
New York, Chicago and St. Louis Railroad Company
New York Dock Railway
New York, Susquehanna and Western Railroad Company
The Pennsylvania Railroad Company
  Baltimore and Eastern Railroad Company
Pennsylvania-Reading Seashore Lines
Pittsburgh & West Virginia Railway Company
Pittsburgh, Chartiers & Youghiogheny Railway Company
Railroad Perishable Inspection Agency
Reading Company
  Philadelphia, Reading and Pottsville Telegraph Company
The River Terminal Railway Company
Toledo Terminal Railroad Company
Union Depot Company (Columbus, Ohio)
Upper Merion & Plymouth Railroad Company
Washington Terminal Company
Western Maryland Railway Company
Youngstown & Southern Railway Company

WESTERN RAILROADS

Alton and Southern Railroad
Atchison, Topeka & Santa Fe Railway
  Gulf, Colorado and Santa Fe
  Panhandle and Santa Fe
Bauxite and Northern
Belt Railway Company of Chicago
Camas Prairie Railroad Company
Chicago & Eastern Illinois Railroad
Chicago & Illinois Midland Railroad
Chicago and Illinois Western Railroad
Chicago and North Western Railway
  (Including Former Chicago, St. Paul, Minneapolis & Omaha, Former L&M and Former M&StL.)
Chicago and Western Indiana Railroad
Chicago, Burlington & Quincy Railroad
Chicago Great Western Railway
Chicago, Milwaukee, St. Paul and Pacific Railroad
Chicago Produce Terminal Company
Chicago, Rock Island and Pacific Railway
Colorado and Southern Railway
Colorado and Wyoming Railway
Davenport, Rock Island and North Western Railroad
Denver and Rio Grande Western Railroad
Denver Union Terminal Railway
Des Moines Union Railway
Duluth, Missabe and Iron Range Railway
Duluth Union Depot and Transfer Company
Duluth, Winnipeg & Pacific Railway
Elgin, Joliet and Eastern Railway
El Paso Union Passenger Depot
Forth Worth and Denver Railway Company
Galveston, Houston and Henderson Railroad
Great Northern Railway
Green Bay and Western Railroad
  Kewaunee, Green Bay and Western Railroad
Houston Belt & Terminal Railway
Illinois Central Railroad
Illinois Northern Railway
Illinois Terminal Railroad
Joint Texas Division of CRI&P and Ft.W&D
Joliet Union Depot Company
Joplin Union Depot Company
Kansas City Southern Railway
  Arkansas Western Railway
  Kansas City Shreveport and Gulf Terminal

Kansas City Terminal Railway
King Street Passenger Station (Seattle)
Lake Superior & Ishpeming
Lake Superior Terminal and Transfer Railway
Los Angeles Junction Railway
Louisiana & Arkansas Railway Company
Manufacturers Railway
Midland Valley Railroad
  Kansas, Oklahoma & Gulf Railway
  Oklahoma City-ADA-Atoka Railway
Minneapolis, Northfield & Southern Railway
Minnesota and Manitoba
Minnesota Transfer Railway
Missouri-Kansas-Texas Railroad Company
  Beaver, Meade and Englewood Railroad
Missouri Pacific Railroad (Western, Southern and Gulf District)
  Missouri-Illinois Railroad
Northern Pacific Railroad
Northern Pacific Terminal Company of Oregon
Northwestern Pacific Railroad
Ogden Union Railway and Depot Company
Oregon, California & Eastern Railway
Pacific Coast Railroad Company
Paducah and Illinois Railroad Company
Peabody Short Lines
Peoria and Pekin Union Railway
Peoria Terminal Company
Port Terminal Railroad Association
Pueblo Joint Interchange Bureau
St. Joseph Terminal Railroad Company
St. Louis-San Francisco Railway
  St. Louis, San Francisco & Texas Railway
St. Louis Southwestern Railway
St. Paul Union Depot Company
San Diego & Arizona Eastern
Sioux City Terminal Railway
Soo Line Railroad Company
Southern Pacific Company (Pacific Lines)
Southern Pacific Company—Texas and Louisiana Lines
Spokane International Railway
Spokane, Portland and Seattle Railway
  Oregon Trunk Railway
  Oregon Electric Railway
Terminal Railroad Association of St. Louis
Texarkana Union Station Trust
Texas and Pacific Railway
  Abilene and Southern Railway
  Fort Worth Belt Railway
  Texas-New Mexico Railway
  Texas Short Line
  Weatherford, Mineral Wells and Northwestern
Texas Mexican Railway Company
Texas Pacific-Missouri Pacific
  Terminal R.R. of New Orleans
Toledo, Peoria & Western Railroad
Tremont & Gulf Railway
Union Pacific Railroad
Union Railway Company (Memphis)
Union Terminal Company (Dallas)
Wabash Railroad Company
Walla Walla Valley Railway Company
Warren & Ouachita Valley Railway
Western Pacific Railroad
Western Weighing and Inspection Bureau

SOUTHEASTERN RAILROADS

Atlanta & West Point Rail Road Company
  The Western Railway of Alabama
Atlanta Joint Terminals
Atlantic Coast Line Railroad Company
Augusta Union Station Company
Birmingham Southern Railroad Company
Central of Georgia Railway Company
  Albany Passenger Terminal Company
  Macon Terminal Company
The Chesapeake & Ohio Railway Company
Clinchfield Railroad Company
Georgia Railroad
Gulf, Mobile & Ohio Railroad Company
Jacksonville Terminal Company
Kentucky & Indiana Terminal Railroad Company
Louisville & Nashville Railroad Company
Norfolk & Portsmouth Belt Line Railroad Company
Norfolk & Western Railway Company

Norfolk Southern Railway Company
Richmond, Fredericksburg & Potomac Railroad Company
Seaboard Air Line Railroad Company
Southern Railway Company
The Alabama Great Southern Railroad Company
The Cincinnati, New Orleans & Texas Pacific Railway Company
Georgia Southern & Florida Railway Company
New Orleans & Northeastern Railroad Company
The New Orleans Terminal Company
Harriman & Northeastern Railroad Company
St. Johns River Terminal Company
Tennessee Central Railway Company

LIST B

International Association of Machinists
International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers
Sheet Metal Workers' International Association
International Brotherhood of Electrical Workers
Brotherhood of Railway Carmen of America
International Brotherhood of Firemen and Oilers
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes
Brotherhood of Maintenance of Way Employes
The Order of Railroad Telegraphers
Brotherhood of Railroad Signalmen
Hotel and Restaurant Employes & Bartenders' International Union

[F.R. Doc. 62-2286; Filed, Mar. 5, 1962; 10:49 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

President's Committee on Youth Employment

Effective upon publication in the FEDERAL REGISTER, a new § 6.171 is added as set out below.

§ 6.171 President's Committee on Youth Employment.

(a) All positions on the staff of the President's Committee on Youth Employment, established by the President on November 16, 1961.

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

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

[F.R. Doc. 62-2205; Filed, Mar. 5, 1962; 8:50 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 5]

PART 728—WHEAT

Subpart—Wheat Marketing Quota Regulations for 1961 and Subsequent Crop Years

EXCESS ACREAGE UTILIZATION DATE

Basis and purpose. The amendment herein is issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, and is issued for the purpose of amending the date for the disposal of excess wheat acreage in five counties in Kansas. Since the determination of 1962 wheat acreage will soon be made, it is important that State and county committees be notified of the amendment herein as soon as possible so that producers with 1962 excess wheat acreage may be notified of the final date for utilization of such excess acreage as wheat cover crop. Accordingly, it is hereby found that compliance with the public notice, procedure and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendment shall become effective upon its publication in the FEDERAL REGISTER.

Paragraph (b) of § 728.1145 is amended to change the date of May 20 to June 1 for five counties in Kansas as follows: Cheyenne, Decatur, Rawlins, Sherman, and Thomas.

(Secs. 374, 375, 52 Stat. 65, 66, as amended; 68 Stat. 904, 7 U.S.C. 1374, 1375)

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on February 28, 1962.

EMERY E. JACOBS,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-2211; Filed, Mar. 5, 1962; 8:51 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter V—Agricultural Marketing Service, Department of Agriculture

SUBCHAPTER B—EXPORT AND DOMESTIC CONSUMPTION PROGRAMS

PART 519—FRESH IRISH POTATOES

Subpart—Fresh Irish Potatoes—Livestock Feed Diversion Program CMD 3a

EXTENSION OF DATE FOR SPREADING

The provisions of the Fresh Irish Potatoes—Livestock Feed Diversion Program CMD—3a (26 F.R. 8589) are hereby revised to extend the date for spreading potatoes to be used for livestock feed after dehydration through a process of alternate freezing and thawing. Section 519.213(c)(4) is revised to read as follows:

(4) Spreading must take place on or before March 17, 1962.

Dated: March 1, 1962.

FLOYD F. HEDLUND,
Authorized Representative of the Secretary of Agriculture.

[F.R. Doc. 62-2209; Filed, Mar. 5, 1962; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1088; Amdt. 403]

PART 507—AIRWORTHINESS DIRECTIVES

Aero Commander Model 680F Aircraft

As a result of several failures of the alternate induction air valve and shaft on Aero Commander Model 680F aircraft which caused loss of engine power, an airworthiness directive is considered necessary requiring replacement of the original parts with improved parts.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

AERO COMMANDER. Applies to all Model 680F aircraft, including pressurized versions, with Serial Numbers 871 through 1170.

Compliance required within the next 25 hours' time in service after the effective date of this directive.

In order to preclude failure of the alternate induction air valve and shaft assembly resulting in loss of engine power, replace the original air valve and shaft and rig in accordance with instructions outlined in Aero Commander Service Bulletin No. 76A dated February 5, 1962, or FAA approved equivalent.

This amendment shall become effective March 6, 1962.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on February 26, 1962.

G. S. MOORE,
Acting Director, Flight Standards Service.

[F.R. Doc. 62-2157; Filed, Mar. 5, 1962; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 62-WA-19]

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

Alteration of Control Area Extension

The purpose of this amendment to § 601.1479 of the regulations of the Administrator is to alter the Peotone, Ill., control area extension.

The Peotone control area extension is currently described as that airspace southeast of Poetone bounded on the east by VOR Federal airway No. 7, on the southwest by VOR Federal airway No. 227, on the west by VOR Federal airway No. 53 and on the north by VOR Federal airway No. 38. Victor 227 has been redesignated as VOR Federal airway No. 491 (14 CFR 600.6491). Therefore, in order to correctly describe the Peotone control area extension, action is taken herein to substitute Victor 491 for Victor

227 in the description of the Peotone control area extension. This action will not change the dimensions of controlled airspace presently designated in this area.

Since this amendment imposes no additional burden on the public, notice and public procedure hereon are unnecessary and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken: In the text of § 601.1479 (14 CFR 601.1479) "VOR Federal airway No. 227," is deleted and "VOR Federal airway No. 491," is substituted therefor.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

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

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-2161; Filed, Mar. 5, 1962; 8:45 a.m.]

[Airspace Docket No. 61-FW-69]

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

Designation of Control Zone; Modification

On December 21, 1961, there was published in the FEDERAL REGISTER (26 F.R. 12215) an amendment to § 601.1983 of the regulations of the Administrator which designated a full-time control zone at the Hale County Airport, Plainview, Tex., effective February 8, 1962.

Subsequent to the publication of the amendment it has been determined that the time of designation of the Plainview control zone should be from 0600 to 2200 hours local standard time, daily. This change in the time of designation of the central zone is necessary to coincide with the hours of operation of the control tower. Accordingly, action is taken herein to reflect this change.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.1983 (14 CFR 601.1983, 26 F.R. 12215) is amended as follows: In the description of the Plainview, Tex., control zone, "(latitude 34°10'10" N., longitude 101°43'00" W.)" is deleted and "(latitude 34°10'10" N., longitude 101°43'00" W.), from 0600 to 2200 hours central standard time, daily." is substituted therefor.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

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

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-2158; Filed, Mar. 5, 1962; 8:45 a.m.]

[Airspace Docket No. 62-KC-16]

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

Alteration of Control Zone

The purpose of this amendment to § 601.2112 of the regulations of the Administrator is to alter the Madison, Wis., control zone.

The Madison, Wis., control zone is designated within a 5-mile radius of the Truax Field, within 2 miles either side of the east course of the Madison radio range station extending from the radio range to 10 miles east and within 2 miles of lines bearing 183° and 003° True from the outer marker extending from the Truax Field control zone to 10 miles south of the outer marker.

The control zone extension based on the east course of the Madison radio range station is no longer required for air traffic control purposes. Therefore, action is taken herein to revoke the control zone extension based on this navigational aid.

Since the change effected by this amendment is less restrictive in nature than present requirements, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than thirty days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.2112 (14 CFR 601.2112) is amended to read:

§ 601.2112 Madison, Wis., control zone.

Within a 5-mile radius of Truax Field, Madison, Wis. (latitude 43°08'15" N., longitude 89°20'10" W.) and within 2 miles either side of lines bearing 183° and 003° from the OM extending from the 5-mile radius zone to 10 miles S of the OM.

This amendment shall become effective 0001 e.s.t., May 3, 1962.

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

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-2159; Filed, Mar. 5, 1962; 8:45 a.m.]

[Airspace Docket No. 61-SW-124]

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

Redesignation of Control Zone; Modification

On January 18, 1962, there was published in the FEDERAL REGISTER (27 F.R. 508, effective March 8, 1962) an amendment to Part 601 (§ 601.2352) of the regulations of the Administrator which redesignated the Dalhart, Tex., control zone within a 3-mile radius of the Dalhart Municipal Airport and within 2 miles either side of the 002° radial of the Dalhart VORTAC extending from the 3-mile radius zone to 10 miles north of the VORTAC. Since the VORTAC is located outside the 3-mile radius zone, two radials are required to properly describe the control zone extension to the north. Therefore, action is taken herein to describe this extension within 2 miles either side of the Dalhart VORTAC 182° and 002° True radials in lieu of the 002° True radial.

Since this amendment is editorial in nature, and imposes no additional burden on any person, the effective date of the Final Rule as initially adopted may be retained.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), effective immediately, Airspace Docket No. 61-SW-124 (27 F.R. 508) is hereby modified as follows: In § 601.2352 in the description of the Dalhart, Tex., control zone "the 002° radial" is deleted and "the 182° and 002° radials" is substituted therefor.

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

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
Acting Director, Air Traffic Service.

[F.R. Doc. 62-2160; Filed, Mar. 5, 1962; 8:45 a.m.]

[Airspace Docket No. 62-LA-4]

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

Alteration of Transition Area

The purpose of this amendment to § 601.10925 of the regulations of the Administrator is to alter the Twentynine Palms, Calif., transition area.

The Department of the Navy has requested that the portion of the Twentynine Palms transition area which presently coincides with the Bullion Mountains, Calif., Restricted Area (R-2501) be excluded from the restricted area. The Federal Aviation Agency has evaluated this request and it has been determined that this portion is in excess of that required as controlled airspace for air traffic service purposes in this area.

Accordingly, action is taken herein to revoke that portion of the Twentynine Palms transition area within R–2501.

Since the change effected by this amendment is less restrictive in nature than the present requirements, and imposes no additional burden on any person, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken: In the text of § 601.10925 (26 F.R. 12516) "excluding the portion which coincides with R–2507. The portion of this transition area which coincides with R–2501 shall be used only after obtaining prior approval from appropriate authority." is deleted and "excluding the portions which coincide with R–2501 and R–2507." is substituted therefor.

This amendment shall become effective 0001 e.s.t., May 3, 1962.

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

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62–2180; Filed, Mar. 5, 1962; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8420 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Arctic Light Blanket Co., Inc., and Philip F. Goldberg

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* § 13.1185–90 *Wool Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845–80 *Wool Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements:* § 13.1852–80 *Wool Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2–5, 54 Stat. 1128–1130; 15 U.S.C. 45, 68) [Cease and desist order, Arctic Light Blanket Co., Inc., et al., Worcester, Mass., Docket 8420, Oct. 24, 1961]

In the Matter of Arctic Light Blanket Co., Inc., a Corporation, and Philip F. Goldberg, Individually and as an Officer of Said Corporation

Consent order requiring Worcester, Mass., manufacturers to cease violating the Wool Products Labeling Act by such practices as labeling as 100 percent wool, blankets which contained a substantial quantity of reprocessed wool and other fibers, and by failing to disclose on blanket labels the presence of reprocessed wool and non-woolen fibers and the percentage thereof.

The order to cease and desist is as follows:

It is ordered, That respondents Arctic Light Blanket Co., Inc., a corporation, and its officers, and Philip F. Goldberg, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act, of wool blankets or other wool products, as such products are defined in and subject to the said Wool Products Labeling Act, do forthwith cease and desist from misbranding such products by:

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

2. Failing to affix labels to such products showing each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents, Arctic Light Blanket Co., Inc., a corporation, and its officers, and Philip F. Goldberg, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of wool blankets or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from directly or indirectly misrepresenting on sales invoices, shipping memoranda, or in any other manner the fiber content of said products.

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

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

Issued: October 24, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62–2162; Filed, Mar. 5, 1962; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 40IA–123]

PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

Custody or Possession of Funds or Securities of Clients

On November 6, 1961, in Release 40IA–122 and on November 10, 1961, in the FEDERAL REGISTER (26 F.R. 10607), the Commission published its proposal to adopt § 275.206(4)–2 (Rule 206(4)–2 under the Investment Advisers Act of 1940) to require investment advisers who have custody or possession of funds or securities of clients to segregate the securities and hold them in safekeeping and to set up a separate trust account in a bank for funds belonging to each client. The Commission has considered the comments and suggestions made on the proposal and has adopted the rule in the form stated below, to be effective April 2, 1962.

Section 206(4) of the Act prohibits any investment adviser from engaging in any act, practice or course of business which is fraudulent, deceptive or manipulative and gives the Commission the power, by rules and regulations, to define and prescribe means reasonably designed to prevent such acts, practices and courses of business. The new rule is designed to implement these provisions by requiring an investment adviser who has custody of funds or securities of any client to maintain them in such a way that they will be insulated from and not be jeopardized by financial reverses, including insolvency, of the investment adviser.

The rule makes it a fraudulent, deceptive or manipulative act, practice or course of business for any investment adviser who has custody or possession of funds or securities of clients to do any act or to take any action with respect to any such funds or securities unless (1) all such securities of each such client are segregated, marked to identify the particular client who has the beneficial interest therein, and held in safekeeping in a reasonably safe place; (2) all funds of such clients are deposited in one or more bank accounts which contain only clients' funds; such accounts are maintained in the name of the investment adviser as agent or trustee for such clients; and the investment adviser maintains a separate record for each such account showing where it is, the deposits and withdrawals, and the amount of each client's interest in the account; (3) the adviser, immediately after accepting custody or possession, notifies the client in writing of the place and manner in which the funds and securities will be maintained; (4) the adviser sends

each client, at least once every three months, an itemized statement of the funds and securities in his custody or possession at the end of such period and all debits, credits and transactions in the client's account during the period; and (5) at least once each calendar year the funds and securities are verified by actual examination by an independent public accountant in a surprise examination and a certificate of the accountant, stating that he has made the examination and describing the nature and extent of it, is sent to the Commission promptly thereafter. In order to make an appropriate examination it would be necessary for the accountant not only to make a physical examination of the securities, and in certain cases to obtain confirmation, but also to reconcile the physical account or confirmation with the records of the investment adviser. Similar verification of and confirmation of the funds being held and the records with respect thereto would also have to be made.

Since certain members of national securities exchanges and registered broker-dealers must maintain specified standards of financial responsibility under the Commission's Rule 15c3–1 (§ 240.15c3–1) or applicable rules of the exchanges of which they are members, the rule exempts from these requirements registered broker-dealers subject to and in compliance with § 240.15c3–1 and members of exchanges whose members are exempt from § 240.15c3–1 by paragraph (b)(2) thereof.

Statutory basis. The Commission acting pursuant to the provisions of the Investment Advisers Act of 1940 as amended, and particularly section 204, 206(4), and 211(a), thereof, and deeming such action necessary and appropriate to the exercise of its functions and powers under the Act and necessary and reasonably designed to prevent fraudulent, deceptive and manipulative acts and practices by investment advisers, hereby adopts § 275.206(4)–2 as stated below, effective April 2, 1962:

§ 275.206(4)–2 Custody or possession of funds or securities of clients.

(a) It shall constitute a fraudulent, deceptive or manipulative act, practice or course of business within the meaning of section 206(4) of the Act for any investment adviser who has custody or possession of any funds or securities in which any client has any beneficial interest, to do any act or take any action, directly or indirectly, with respect to any such funds or securities, unless:

(1) All such securities of each such client are segregated, marked to identify the particular client who has the beneficial interest therein, and held in safekeeping in some place reasonably free from risk of destruction or other loss; and

(2)(i) All such funds of such clients are deposited in one or more bank accounts which contain only clients' funds, (ii) such account or accounts are maintained in the name of the investment adviser as agent or trustee for such clients; and (iii) the investment adviser maintains a separate record for each such account which shows the name and address of the bank where such account is maintained, the dates and amounts of deposits in and withdrawals from such account, and the exact amount of each client's beneficial interest in such account; and

(3) Such investment adviser, immediately after accepting custody or possession of such funds or securities from any client, notifies such client in writing of the place and manner in which such funds and securities will be maintained, and thereafter, if and when there is any change in the place or manner in which such funds or securities are being maintained, gives each such client written notice thereof; and

(4) Such investment adviser sends to each client, not less frequently than once every 3 months, an itemized statement showing the funds and securities in the custody or possession of the investment adviser at the end of such period, and all debits, credits and transactions in such client's account during such period; and

(5) All such funds and securities of clients are verified by actual examination at least once during each calendar year by an independent public accountant at a time which shall be chosen by such accountant without prior notice to the investment adviser. A certificate of such accountant stating that he has made an examination of such funds and securities, and describing the nature and extent of such examination, shall be filed with the Commission promptly after each such examination.

(b) This section shall not apply to an investment adviser also registered as a broker-dealer under section 15 of the Securities Exchange Act of 1934 if (1) such broker-dealer is subject to and in compliance with § 240.15c3–1 under the Securities Exchange Act of 1934, or (2) such broker-dealer is a member of an exchange whose members are exempt from § 240.15c3–1 under the provisions of paragraph (b)(2) thereof, and such broker-dealer is in compliance with all rules and settled practices of such exchange imposing requirements with respect to financial responsibility and the segregation of funds or securities carried for the account of customers.

(Sec. 204, 54 Stat. 852, as amended, 15 U.S.C. 80b–4; sec. 206(4), 54 Stat. 852, as amended, 15 U.S.C. 80b–6; sec. 211(a), 54 Stat. 855, as amended, 15 U.S.C. 80b–11)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

FEBRUARY 27, 1962.

[F.R. Doc. 62–2163; Filed, Mar. 5, 1962; 8:46 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Dinosaur National Monument, Utah-Colorado; Stock Grazing

On pages 747 and 748 of the FEDERAL REGISTER of January 25, 1962, there was published a notice and text of a proposed amendment to § 7.63 of Title 36, Code of Federal Regulations. The purpose of this amendment is to establish suitable and reasonable stock grazing regulations in accordance with the Act of September 8, 1960 (74 Stat. 857, Public Law 86–729), to administer the grazing activities within the boundaries of Dinosaur National Monument.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed regulations. No comments, suggestions, or objections have been received, and they are hereby adopted without change.

Since the grazing season in the Monument commences March 1, it is in the public interest that stock grazing regulations be in effect immediately.

Accordingly, these regulations shall become effective upon publication in the FEDERAL REGISTER.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

EARL M. SEMINGSEN,
Superintendent,
Dinosaur National Monument.

Paragraph (b) is added to the new § 7.63 of Part 7 to read as follows:

§ 7.63 Dinosaur National Monument.

* * * * *

(b) *Stock grazing.* (1) Privileges for the grazing of domestic livestock based on authorized used of certain areas at the time of approval of the act of September 8, 1960 (74 Stat. 857, Public Law 86–729), shall continue in effect or shall be renewed from time to time, except for failure to comply with such terms and conditions as may be prescribed by the Superintendent in these regulations and after reasonable notice of default and subject to the following provisions of tenure:

(i) Grazing privileges appurtenant to privately owned lands located within the Monument shall not be withdrawn until title to the lands to which such privileges are appurtenant shall have vested in the United States except for failure to comply with the regulations applicable thereto after reasonable notice of default.

(ii) Grazing privileges appurtenant to privately owned lands located outside the Monument shall not be withdrawn for a period of twenty-five years after September 8, 1960, and thereafter shall continue during the lifetime of the original permittee and his heirs if they were members of his immediate family as described herein except for failure to comply with the regulations applicable thereto after reasonable notice of default.

(iii) Members of the immediate family are those persons who are related to and directly dependent upon a person or persons, living on or conducting grazing operations from lands, as of September 8, 1960, which the National Park Service recognized as base lands appurtenant to grazing privileges in the monument. Such interpretation excludes mature children who, as of that date, were established in their own households and were not directly dependent upon the base lands and appurtenant grazing recognized by the National Park Service.

(iv) If title to base lands lying outside the monument is conveyed, or such base lands are leased to someone other than a member of the immediate family of the permittee as of September 8, 1960, the grazing preference shall be recognized only for a period of twenty-five years from September 8, 1960.

(v) If title to a portion or part of the base land either outside or inside the monument is conveyed or such base lands are leased, the new owner or lessee will take with the land so acquired or leased after September 8, 1960, such proportion of the entire grazing privileges as the grazing capacity in animal unit months of the tract conveyed or leased bears to the original area to which a grazing privilege was appurtenant and recognized. Conveyance or lease of all such base lands will automatically convey all grazing privileges appurtenant thereto.

(vi) Grazing privileges which are appurtenant to base lands located either inside or outside the monument as of September 8, 1960, shall not be conveyed separately therefrom.

(2) Where no reasonable ingress or egress is available to permittees or nonpermittees who must cross monument lands to reach grazing allotments or non-Federal lands within the exterior boundary of the monument or adjacent thereto, the Superintendent will grant, upon request, a temporary nonfee annual permit to herd stock on a designated driveway which shall specify the time to be consumed in each single drive.

(3) After September 8, 1960, no increase in the number of animal unit months will be allowed on Federal lands in the monument.

(4) (i) A permittee whose privileges are appurtenant to base lands either inside or outside the monument may be granted total nonuse on a year to year basis not to exceed three consecutive years. Total nonuse beyond this time may be granted if necessitated for reasons clearly outside the control of the permittee. Total unauthorized nonuse beyond three consecutive years will result in the termination and loss of all grazing privileges.

(ii) Whenever partial or total non-use is desired an application must be made in writing to the Superintendent.

(5) Grazing fees shall be the same as those approved for the Bureau of Land Management and will be adjusted accordingly.

(6) Permittees or nonpermittees who have stock on Federal lands within the monument at any time or place, when or where herding or grazing is unauthorized may be assessed fifty cents per day per cow or horse and ten cents per day per sheep as damages.

(7) The Superintendent may accept a written relinquishment or waiver of any privileges; however, no such relinquishment or waiver will be effective without the written consent of the owner or owners of the base lands.

(8) Permits: Terms and conditions: The issuance and continued effectiveness of all permits will be subject, in addition to mandatory provisions required by Executive Order or law, to the following terms and conditions:

(i) The permittee and his employees shall use all possible care in preventing forest and range fires, and shall assist in the extinguishing of forest and range fires on, or within, the vicinity of the land described in the permit, as well as in the preservation of good order within the boundaries of the Monument.

(ii) The Superintendent may require the permittee before driving livestock to or from the grazing allotment to gather his livestock at a designated time and place for the purpose of counting the same.

(iii) Stock will be allowed to graze only on the allotment designated in the permit.

(iv) The permittee shall file with the Superintendent a copy of his stock brand or other mark.

(v) The permittee shall, upon notice from the Superintendent that the allotment designated in the permit is not ready to be grazed at the beginning of the designated grazing season, place no livestock on the allotment for such a period as may be determined by the Superintendent as necessary to avoid damage to the range. All, or a portion of the livestock shall be removed from the area before the expiration of the designated grazing season if the Superintendent determines further grazing would be detrimental to the range. The number of stock and the grazing period may be adjusted by the Superintendent at any time when such action is deemed necessary for the protection of the range.

(vi) No permit shall be issued or renewed until payment of all fees and other amounts due the National Park Service has been made. Fees for permits are due the National Park Service and must be paid at least 15 days in advance of the grazing period. No permit shall be effective to authorize grazing use thereunder until all fees and other amounts due the National Park Service have been paid. A pro rata adjustment of fees will be made in the event of reduction of grazing privileges granted in the permit, except that not more than 50 percent of the total annual grazing fee will be refunded in the event reduced grazing benefits are taken at the election of the permittee after his stock are on the range.

(vii) No building or other structure shall be erected nor shall physical improvements of any kind be established under the permit except upon plans and specifications approved by the National Park Service. Any such facilities, structures, or buildings may be removed or disposed of to a successor permittee within three months following the termination of the permit; otherwise they shall become the property of the United States without compensation therefor.

(viii) The permittee shall utilize the lands covered by the permit in a manner approved and directed by the Superintendent which will prevent soil erosion thereon and on lands adjoining same.

(ix) The right is reserved to adjust the fees specified in the permit at any time to conform with the fees approved for the Bureau of Land Management, and the permittee shall be furnished a notice of any change of fees.

(x) All livestock are considered as mature animals at 6 months of age and are so counted in determining animal unit months and numbers of animals.

(xi) The Superintendent may prescribe additional terms and conditions to meet individual cases.

(9) The breach of any of the terms or conditions of the permit shall be grounds for termination, suspension, or reduction of grazing privileges.

(10) Appeals from the decision of the Superintendent to the Regional Director, and from the Regional Director to the Director shall be made in accordance with National Park Service Order No. 14, as amended (19 F.R. 8824) and Regional Director, Region Two Order No. 3, as amended (21 F.R. 1494).

(11) Nothing in these regulations shall be construed as to prevent the enforcement of the provisions of the General Rules and Regulations and the Special Rules and Regulations of the National Park Service or of any other provisions of said rules and regulations applicable to stock grazing.

[F.R. Doc. 62-2200; Filed, Mar. 5, 1962; 8:50 a.m.]

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park, Virginia; Night Parking, Travel on Lee Drive, and Fires for Cooking Purposes

On page 237 of the FEDERAL REGISTER of January 9, 1962, there was published a notice and text of a proposed amendment to Part 7 of Title 36, Code of Federal Regulations. The purpose of the amendment is to add to Part 7 a new section that will control night parking,

travel on Lee Drive, and fires for cooking purposes.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received, and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

Section 7.64 is added and reads as follows:

§ 7.64 Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park.

(a) *Night parking.* Vehicular parking along any park roadway is restricted to daylight hours except to effect emergency repairs.

(b) *Travel on Lee Drive.* Travel on that portion of Lee Drive between the Lansdowne Valley Road and Hamilton's Crossing is permitted only during daylight hours.

(c) *Fires for cooking purposes.* Fires shall be built for cooking purposes only and shall be confined to the established picnic areas. Such fires shall be confined to existing fireplaces therein or to portable charcoal grills. All remaining fuel and embers in portable charcoal grills must be extinguished immediately after use.

OSCAR F. NORTHINGTON, Jr.,
Superintendent, Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park.

[F.R. Doc. 62-2164; Filed, Mar. 5, 1962; 8:46 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

PART 72—INTERSTATE QUARANTINE

Drinking Water Standards

On July 27, 1961, notice of proposed rule making relating to the revision of the regulations in this Subpart J—Drinking Water Standards, and a related section was published in the FEDERAL REGISTER (26 F.R. 6737). After consideration of all relevant matter presented regarding the proposed revision, the regulations as so published are adopted, to become effective 30 days after the publication of this notice in the FEDERAL REGISTER, subject to the changes set out below.

1. Section 72.203: The words "Figure I" are added immediately below the graph in this section.

2. Section 72.205(b)(1): The word "fluoride" is substituted for the word "flouride" appearing in the table in paragraph 1.

3. Section 72.205(b)(2): The concentration in mg/1 for chromium (Hexavalent) shown in the table is amended to read "0.05".

4. Paragraph (b) of § 72.206 is amended.

Dated: February 21, 1962.

[SEAL] LUTHER L. TERRY,
Surgeon General.

Approved: February 28, 1962.

ABRAHAM RIBICOFF,
Secretary.

§ 72.1 [Amendment]

1. Section 72.1(1) is amended to read:

(1) *Potable water.* Water which meets the standards prescribed in the Public Health Service Drinking Water Standards (see Subpart J of this part).

2. Subpart J is amended to read as follows:

Subpart J—Drinking Water Standards

Sec.
72.201 Definition of terms.
72.202 Source and protection.
72.203 Bacteriological quality.
72.204 Physical characteristics.
72.205 Chemical characteristics.
72.206 Radioactivity.
72.207 Recommended analytical methods.

AUTHORITY: §§ 72.201 to 72.207 issued under sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interprets or applies sec. 361, 58 Stat. 703; 42 U.S.C. 264.

§ 72.201 Definitions of terms.

As used in this subpart, the following terms shall have the meanings set out below:

(a) "Adequate protection by natural means" involves one or more of the following processes of nature that produces water consistently meeting the requirements of these Standards: dilution, storage, sedimentation, sunlight, aeration, and the associated physical and biological processes which tend to accomplish natural purification in surface waters and, in the case of ground waters, the natural purification of water by infiltration through soil and percolation through underlying material and storage below the ground water table.

(b) "Adequate protection by treatment" means any one or any combination of the controlled processes of coagulation, sedimentation, absorption, filtration, disinfection, or other processes which produce a water consistently meeting the requirements of these Standards. This protection also includes processes which are appropriate to the source of supply; works which are of adequate capacity to meet maximum demands without creating health hazards, and which are located, designed, and constructed to eliminate or prevent pollution; and conscientious operation by well-trained and competent personnel whose qualifications are commensurate with the responsibilities of the position and acceptable to the reporting agency and the certifying authority.

(c) "Certifying Authority" means the Surgeon General of the United States Public Health Service or his duly authorized representatives. Reference to the certifying authority is applicable only for those water supplies to be certified for use on carriers subject to this part.

(d) "The coliform group" includes all organisms considered in the coliform group as set forth in Standard Methods for the Examination of Water and Wastewater, current edition, prepared and published jointly by the American Public Health Association, American Water Works Association, and Water Pollution Control Federation.

(e) "Health hazards" mean any conditions, devices, or practices in the water supply system and its operation which create, or may create, a danger to the health and well-being of the water consumer. An example of a health hazard is a structural defect in the water supply system, whether of location, design, or construction, which may regularly or occasionally prevent satisfactory purification of the water supply or cause it to be polluted from extraneous sources.

(f) "Pollution", as used in these Standards, means the presence of any foreign substance (organic, inorganic, radiological, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefullness of the water.

(g) "Reporting agencies" means the respective official State health agencies or their designated representatives.

(h) "The standard sample" for the bacteriological test shall consist of:

(1) For the bacteriological fermentation tube test, five (5) standard portions of either:

(i) Ten milliliters (10 ml)

(ii) One hundred milliliters (100 ml)

(2) For the membrane filter technique, not less than fifty milliliters (50 ml).

(i) "Water supply system" includes the works and auxiliaries for collection, treatment, storage, and distribution of the water from the sources of suply to the free-flowing outlet of the ultimate consumer.

§ 72.202 Source and protection.

(a) The water supply should be obtained from the most desirable source which is feasible, and effort should be made to prevent or control pollution of the source. If the source is not adequately protected by natural means, the supply shall be adequately protected by treatment.

(b) Frequent sanitary surveys shall be made of the water supply system to locate and identify health hazards which might exist in the system. The manner and frequency of making these surveys, and the rate at which discovered health hazards are to be removed shall be in accordance with a program approved by the reporting agency and the certifying authority.

(c) Approval of water supplies shall be dependent in part upon:

(1) Enforcement of rules and regulations to prevent development of health hazards;

(2) Adequate protection of the water quality throughout all parts of the system, as demonstrated by frequent surveys;

(3) Proper operation of the water supply system under the responsible charge of personnel whose qualifications are acceptable to the reporting agency and the certifying authority;

(4) Adequate capacity to meet peak demands without development of low pressures or other health hazards; and

(5) Record of laboratory examinations showing consistent compliance with the water quality requirements of these Standards.

(d) For the purpose of application of these Standards, responsibility for the conditions in the water supply system shall be considered to be held by:

(1) The water purveyor from the source of supply to the connection to the customer's service piping; and

(2) The owner of the property served and the municipal, county, or other authority having legal jurisdiction from the point of connection to the customer's service piping to the free-flowing outlet of the ultimate consumer.

§ 72.203 Bacteriological quality.

(a) *Sampling.* (1) Compliance with the bacteriological requirements of these Standards shall be based on examinations of samples collected at representative points throughout the distribution system. The frequency of sampling and the location of sampling points shall be established jointly by the reporting agency and the certifying authority after investigation by either agency, or both, of the source, method of treatment, and protection of the water concerned.

(2) The minimum number of samples to be collected from the distribution system and examined each month should be in accordance with the number on the graph in Figure I, for the population served by the system. For the purpose of uniformity and simplicity in application, the number determined from the graph should be in accordance with the following: For a population of 25,000 and under—to the nearest 1; 25,001 to 100,000—to the nearest 5; and over 100,000—to the nearest 10.

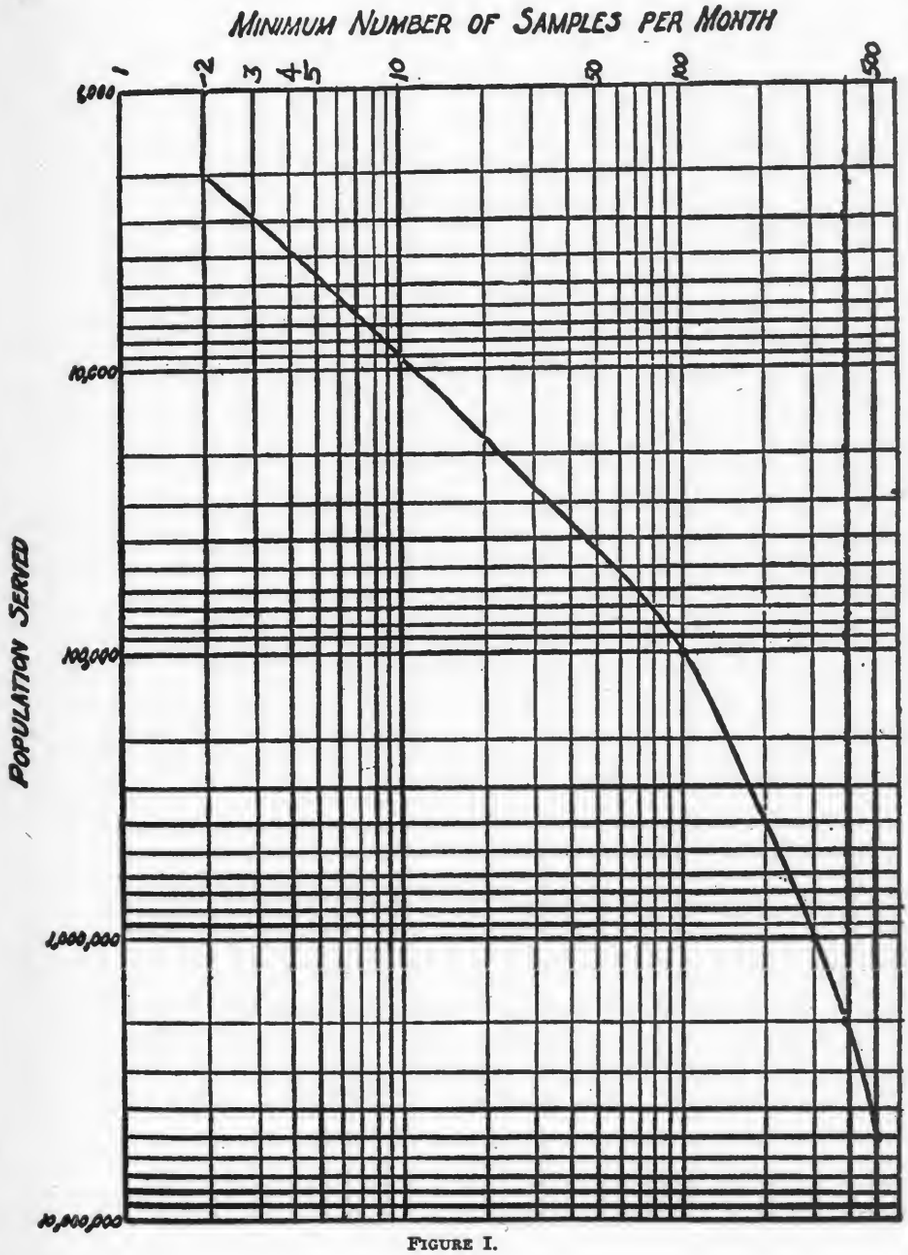

FIGURE I.

(3) In determining the number of samples examined monthly, the following samples may be included, provided all results are assembled and available for inspection and the laboratory methods and technical competence of the laboratory personnel are approved by the reporting agency and the certifying authority:

(i) Samples examined by the reporting agency.

(ii) Samples examined by local government laboratories.

(iii) Samples examined by the water works authority.

(iv) Samples examined by commercial laboratories.

(4) The laboratories in which these examinations are made and the methods used in making them shall be subject to inspection at any time by the designated representatives of the certifying authority and the reporting agency. Compliance with the specified procedures and the results obtained shall be used as a basis for certification of the supply.

(5) Daily samples collected following a bacteriological unsatisfactory sample as provided in paragraph (b)(1), (2), and (3) of this section shall be considered as special samples and shall not be included in the total number of samples examined. Neither shall such special samples be used as a basis for prohibiting the supply: *Provided,* That (i) when waters of unknown quality are being examined, simultaneous tests are made on multiple portions of a geometric series to determine a definitive coliform content, (ii) immediate and active efforts are made to locate the cause of pollution, (iii) immediate action is taken to eliminate the cause, and (iv) samples taken following such remedial action are satisfactory.

(b) *Limits.* The presence of organisms of the coliform group as indicated by samples examined shall not exceed the following limits:

(1) When 10 ml standard portions are examined, not more than 10 percent in any month shall show the presence of the coliform group. The presence of the coliform group in three or more 10 ml portions of a standard sample shall not be allowable if this occurs:

(i) In two consecutive samples;

(ii) In more than one sample per month when less than 20 are examined per month; or

(iii) In more than five percent of the samples when 20 or more are examined per month.

When organisms of the coliform group occur in three or more of the 10 ml portions of a single standard sample, daily samples from the same sampling point shall be collected promptly and examined until the results obtained from at least two consecutive samples show the water to be of satisfactory quality.

(2) When 100 ml standard portions are examined, not more than 60 percent

in any month shall show the presence of the coliform group. The presence of the coliform group in all five of the 100 ml portions of a standard sample shall not be allowable if this occurs:

(i) In two consecutive samples;

(ii) In more than one sample per month when less than five are examined per month; or

(iii) In more than 20 percent of the samples when five or more are examined per month.

When organisms of the coliform group occur in all five of the 100 ml portions of a single standard sample, daily samples from the same sampling point shall be collected promptly and examined until the results obtained from at least two consecutive samples show the water to be of satisfactory quality.

(3) When the membrane filter technique is used, the arithmetic mean coliform density of all standard samples examined per month shall not exceed one per 100 ml. Coliform colonies per standard sample shall not exceed 3/50 ml, 4/100 ml, 7/200 ml, or 13/500 ml in:

(i) Two consecutive samples;

(ii) More than one standard sample when less than 20 are examined per month; or

(iii) More than five percent of the standard samples when 20 or more are examined per month.

When coliform colonies in a single standard sample exceed the above values, daily samples from the same sampling point shall be collected promptly and examined until the results obtained from at least two consecutive samples show the water to be of satisfactory quality.

§ 72.204 Physical characteristics.

(a) *Sampling.* The frequency and manner of sampling shall be determined by the reporting agency and the certifying authority. Under normal circumstances samples should be collected one or more times per week from representative points in the distribution system and examined for turbidity, color, threshold odor, and taste.

(b) *Limits.* Drinking water should contain no impurity which would cause offense to the sense of sight, taste, or smell. Under general use, the following limits should not be exceeded:

Turbidity—5 units.
Color—15 units.
Threshold odor number—3.

§ 72.205 Chemical characteristics.

(a) *Sampling.* (1) The frequency and manner of sampling shall be determined by the reporting agency and the certifying authority. Under normal circumstances, analyses for substances listed below need be made only semi-annually. If, however, there is some presumption of unfitness because of the presence of undesirable elements, compounds, or materials, periodic determinations for the suspected toxicant or material should be made more frequently and an exhaustive sanitary survey should be made to determine the source of the pollution. Where the concentration of a substance is not expected to increase in processing and distribution, available and acceptable source water analyses performed in accordance with standard methods may be used as evidence of compliance with these Standards.

(2) Where experience, examination, and available evidence indicate that particular substances are consistently absent from a water supply or below levels of concern, semi-annual examinations for those substances may be omitted when approved by the reporting agency and the certifying authority.

(3) The burden of analysis may be reduced in many cases by using data from acceptable sources. Judgment concerning the quality of water supply and the need for performing specific local analyses may depend in part on information produced by such agencies as (i) the U.S. Geological Survey, which determines chemical quality of surface and ground waters of the United States and publishes these data in "Water Supply Papers" and other reports, and (ii) the U.S. Public Health Service which determines water quality related to pollution (or the absence of pollution) in the principal rivers of the Nation and publishes these data annually in "National Water Quality Network." Data on pollution of waters as measured by carbon chloroform extracts (CCE) may be found in the latter publication.

(b) *Limits.* Drinking water shall not contain impurities in concentrations which may be hazardous to the health of the consumers. It should not be excessively corrosive to the water supply system. Substances used in its treatment shall not remain in the water in concentrations greater than required by good practice. Substances which may have deleterious physiological effect, or for which physiological effects are not known, shall not be introduced into the system in a manner which would permit them to reach the consumer.

(1) The following chemical substances should not be present in a water supply in excess of the listed concentrations where, in the judgment of the reporting agency and the certifying authority, other more suitable supplies are or can be made available.

Substance	Concentration in mg/l
Alkyl Benzene Sulfonate (ABS)	0.5
Arsenic (As)	0.01
Chloride (Cl)	250
Copper (Cu)	1.0
Carbon Chloroform Extract (CCE)	0.2
Cyanide (CN)	0.01
Fluoride (F)	(*)
Iron (Fe)	0.3
Manganese (Mn)	0.05
Nitrate[1] (NO_3)	45
Phenols	0.001
Sulfate (SO_4)	250
Total Dissolved Solids	500
Zinc (Zn)	5

*See 72.205(b)(3).

[1] In areas in which the nitrate content of water is known to be in excess of the listed concentration, the public should be warned of the potential dangers of using the water for infant feeding.

(2) The presence of the following substances in excess of the concentrations listed shall constitute grounds for rejection of the supply:

Substance	Concentration in mg/l
Arsenic (As)	0.05
Barium (Ba)	1.0
Cadmium (Cd)	0.01
Chromium (Hexavalent) ($Cr+^6$)	0.05
Cyanide (CN)	0.2
Fluoride (F)	(*)
Lead (Pb)	0.05
Selenium (Se)	0.01
Silver (Ag)	0.05

*See 72.205(b)(3).

(3)(i) When fluoride is naturally present in drinking water, the concentration should not average more than the appropriate upper limit in Table I. Presence of fluoride in average concentrations greater than two times the optimum values in Table I shall constitute grounds for rejection of the supply.

(ii) Where fluoridation (supplementation of fluoride in drinking water) is practiced, the average fluoride concentration shall be kept within the upper and lower control limits in Table I.

TABLE I

Annual average of maximum daily air temperatures *	Recommended Control Limits (Fluoride concentrations in mg/l)		
	Lower	Optimum	Upper
50.0–53.7	0.9	1.2	1.7
53.8–58.3	0.8	1.1	1.5
58.4–63.8	0.8	1.0	1.3
63.9–70.6	0.7	0.9	1.2
70.7–79.2	0.7	0.8	1.0
79.3–90.5	0.6	0.7	0.8

* Based on temperature data obtained for a minimum of five years.

(iii) In addition to the sampling required by paragraph (a) of this section, fluoridated and defluoridated supplies shall be sampled with sufficient frequency to determine that the desired fluoride concentration is maintained.

§ 72.206 Radioactivity.

(a) *Sampling.* (1) The frequency of sampling and analysis for radioactivity shall be determined by the reporting agency and the certifying authority after consideration of the likelihood of significant amounts being present. Where concentrations of Ra-226 or Sr-90 may vary considerably, quarterly samples composited over a period of three months are recommended. Samples for determination of gross activity should be taken and analyzed more frequently.

(2) As indicated in § 72.205(a), data from acceptable sources may be used to indicate compliance with these requirements.

(b) *Limits.* (1) The effects of human radiation exposure are viewed as harmful and any unnecessary exposure to ionizing radiation should be avoided. Approval of water supplies containing radioactive materials shall be based upon the judgment that the radioactivity intake from such water supplies when added to that from all other sources is not likely to result in an intake greater than the radiation protection guidance[1]

[1] The Federal Radiation Council, in its Memorandum for the President, September 13, 1961, recommended that "Routine control of useful applications of radiation and atomic energy should be such that expected

recommended by the Federal Radiation Council and approved by the President. Water supplies shall be approved without further consideration of other sources of radioactivity intake of Radium-226 and Strontium-90 when the water contains these substances in amounts not exceeding 3 and 10 $\mu\mu$c/liter, respectively. When these concentrations are exceeded, a water supply shall be approved by the certifying authority if surveillance of total intakes of radioactivity from all sources indicates that such intakes are within the limits recommended by the Federal Radiation Council for control action.

(2) In the known absence[2] of Strontium-90 and alpha emitters, the water supply is acceptable when the gross beta concentrations do not exceed 1,000 $\mu\mu$c/liter. Gross beta concentrations in excess of 1,000 $\mu\mu$c/liter shall be grounds for rejection of supply except when more complete analyses indicate that concentrations of nuclides are not likely to cause exposures greater than the Radiation Protection Guides as approved by the President on recommendation of the Federal Radiation Council.

average exposures of suitable samples of an exposed population group will not exceed the upper value of Range II (20 $\mu\mu$c/day of Radium-226 and 200 $\mu\mu$c/day of Strontium-90)."

[2] Absence is taken here to mean a negligibly small fraction of the above specific limits, where the limit for unidentified alpha emitters is taken as the listed limit for Radium-226.

§ 72.207 Recommended analytical methods.

(a) Analytical methods to determine compliance with the requirements of these Standards shall be those specified in Standard Methods for the Examination of Water and Wastewater, Am. Pub. Health Assoc., current edition and those specified as follows:

(1) Barium: Methods for the Collection and Analyses of Water Samples, Water Supply Paper No. 1454, Rainwater, F. H. & Thatcher, L. L., U.S. Geological Survey, Washington, D.C.

(2) Carbon Chloroform Extract (CCE): Manual for Recovery and Identification of Organic Chemicals in Water, Middleton, F. M., Rosen, A. A., and Burttschell, R. H., Robert A. Taft Sanitary Engineering Center, PHS, Cincinnati, Ohio.

(3) Radioactivity: Laboratory Manual of Methodology, Radionuclide Analyses of Environmental Samples, Technical Report R59–6. Robert A. Taft Sanitary Engineering Center, PHS, Cincinnati, Ohio, and Methods of Radiochemical Analysis, Technical Report No. 173, Report of the Joint WHO–FAO Committee, 1959, World Health Organization.

(4) Selenium: Suggested Modified Method for Colorimetric Determination of Selenium in Natural Water, Magin, G. B., Thatcher, L. L., Rettig, S., and Levine, H., J. Am. Water Works Assoc. 52, 1199 (1960).

(b) *Organisms of the coliform group.* All of the details of techniques in the determination of bacteria of this group, including the selection and preparation of apparatus and media, the collection and handling of samples and the intervals and conditions of storage allowable between collection and examination of the water sample, shall be in accordance with Standard Methods for the Examination of Water and Wastewater, current edition, and the procedures shall be those specified therein for:

(1) The Membrane Filter Technique, Standard Test, or

(2) The Completed Test, or

(3) The Confirmed Test, procedure with brilliant green lactose bile broth,[3] or

(4) The Confirmed Test, procedure with Endo or eosin methylene blue agar plates.[1]

[F.R. Doc. 62–2191; Filed, Mar. 5, 1962; 8:49 a.m.]

[3] The Confirmed Test is allowed, provided the value of this test to determine the sanitary quality of the specific water supply being examined is established beyond reasonable doubt by comparisons with Completed Tests performed on the same water supply.

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 6]

AIR COMMERCE REGULATIONS

Proposed Designation of International Seaplane Base, Ranier, Minnesota, as an International Airport

Notice is given pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that under the authority of section 1109(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1509(b)), it is proposed to designate the International Seaplane Base, Ranier, Minnesota, as an international airport (airport of entry) for civil aircraft and for merchandise carried thereon arriving from places outside the United States, as defined in section 101(33) of said Act (49 U.S.C. 1301(33)), and it is further proposed to amend § 6.13 of the Customs Regulations by adding thereto the location and name of this airport at the appropriate place.

Data, views, or arguments with respect to the proposed designation of the abovementioned seaplane base as an international airport may be addressed to the Commissioner of Customs, Bureau of Customs, Washington 25, D.C. To assure consideration of such communications, they must be received in the Bureau of Customs not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER. (192–36.31)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: February 28, 1962.

JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 62–2204; Filed, Mar. 5, 1962; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 260]

INSPECTION SERVICES

Proposed Fees and Charges

Notice is hereby given that, pursuant to the authority vested in the Secretary of the Interior by section 6(a) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742e(a)), it is proposed to amend title 50, Code of Federal Regulations by amendment, addition, and deletion of sections that specifically apply to fees and charges for inspection services.

The purpose of these proposed changes is to achieve a higher degree of uniformity in the assessment of fees and the method of charging for services rendered. The amounts are deemed to be necessary to offset the normal costs to the Bureau of Commercial Fisheries for rendering such inspection service.

This is the first official proposed change in the rate of inspection fees since the Bureau assumed responsibility for the conduct of the inspection service from the U.S. Department of Agriculture in July 1958. The proposed changes in the rates are a reflection of the increased operating costs to the Bureau in maintaining the program on a sound and self-supporting basis as required under the authority by which this program is conducted. All future proposed changes in rates necessitated by Federal pay acts and increased operating costs will be announced in the FEDERAL REGISTER.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Commercial Fisheries, U.S. Fish and Wildlife Service, Washington 25, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

The proposed amendments, addition, and deletions of sections that specifically apply to fees and charges are as follows:

Section 260.69 is amended to read as follows:

§ 260.69 Payment of fees and charges.

Fees and charges for any inspection service shall be paid by the interested party making the application for such service, in accordance with the applicable provisions of the regulations in this part, and, if so required by the person in charge of the office of inspection serving the area where the services are to be performed, an advance of funds prior to rendering inspection service in an amount suitable to the Secretary, or a surety bond suitable to the Secretary, may be required as a guarantee of payment for the services rendered. All fees and charges for any inspection service, performed pursuant to the regulations in this part, shall be paid by check, draft, or money order made payable to the Bureau of Commercial Fisheries. Such check, draft, or money order shall be remitted to the appropriate Regional or Area office serving the geographical area in which the services are performed, within ten (10) days from the date of billing, unless otherwise specified in a contract between the applicant and the Secretary, in which latter event the contract provisions shall apply.

Section 260.70 is amended to read as follows:

§ 260.70 Schedule of fees.

(a) Unless otherwise provided in a written agreement between the applicant and the Secretary, the fees to be charged and collected for any inspection service performed under the regulations in this part at the request of the United States, or any agency or instrumentality thereof, shall be in accordance with the applicable provisions of §§ 260.70 to 260.79.

(b) Unless otherwise provided in the regulations in this part, the fees to be charged and collected for any inspection service performed under the regulations in this part shall be based on the applicable rates specified in this section for the type of service performed.

(1) *Continuous inspection.*

	Per hour
Regular time	$4.20
Overtime	5.00

Applicants shall be charged at an hourly rate of $4.20 per hour for regular time and $5 per hour for overtime in excess of 40 hours per week for services performed by inspectors assigned to plants operating under continuous inspection. Applicants shall be billed monthly at a minimum charge of 8 hours per working day plus overtime, when appropriate, for each inspector. A minimum yearly charge of 260 days will be made for each inspector permanently assigned to each plant.

(2) *Lot inspection—officially and unofficially drawn samples.*

For lot inspection services performed between the hours of 7:00 a.m. and 5 p.m. of any regular workday—$6 per hour.

For lot inspection services performed between the hours of 5 p.m. and 7 a.m. of any regular workday—$9 per hour.

For lot inspection services performed on Saturday, Sunday, and National legal holidays—$9 per hour.

The minimum fee to be charged and collected for inspection of any lot of product shall be $3.

(c) Fees to be charged and collected for lot inspection services furnished on an hourly basis shall be based on the actual time required to render such service including, but not limited to, the travel, sampling, and waiting time required of the inspector, or inspectors, in connection therewith, at the rate of $6 per hour for each inspector, except as provided in paragraph (b) (2) of this section.

Section 260.71 is amended to read as follows:

§ 260.71 Inspection services performed on a resident basis.

Fees to be charged and collected for any inspection service, other than appeal inspection, on a resident basis shall be those provided in § 260.70 and shall include such items as listed in this section as are applicable. The fees to be charged for appeal inspections shall be as provided in § 260.74.

(a) A charge for per diem and travel costs incurred by any inspector whose services are required for relief purposes when the regular inspector is on annual, sick, or military leave: *Provided*, That, with regard to military leave, charges for

per diem and travel costs incurred by a relief inspector shall not exceed 15 days per calendar year.

(b) A charge to cover the actual cost to the Bureau of Commercial Fisheries of the travel (including the cost of movement of household goods and dependents), and per diem with respect to each inspector who is transferred (other than for the convenience of the Bureau of Commercial Fisheries), from an official station to the designated plant.

(c) A charge of $6 per hour plus actual costs to the Bureau of Commercial Fisheries for per diem and travel costs incurred in rendering services not specifically covered in this section; such as, but not limited to, initial plant surveys.

Section 260.72 is amended to read as follows:

§ 260.72 Fees for inspection service performed under cooperative agreement.

The fees to be charged and collected for any inspection or similar service performed under cooperative agreement shall be those provided for by such agreement.

Section 260.73 is amended to read as follows:

§ 260.73 Disposition of fees for inspections made under cooperative agreement.

Fees for inspection under a cooperative agreement with any State or person shall be disposed of in accordance with the terms of such agreement. Such portion of the fees collected under a cooperative agreement as may be due the United States shall be remitted in accordance with § 260.69.

§ 260.75 [Deletion]

Section 260.75 is deleted.

Section 260.76 is amended to read as follows:

§ 260.76 Charges based on hourly rate not otherwise provided for in this part.

When the appropriate Regional or Area Director determines that any inspection or related service rendered is such that charges based upon the foregoing sections are clearly inapplicable, charges may be based on the time consumed by the inspector in performance of such inspection service at the rate of $6 per hour.

A new § 260.81 is added:

§ 260.81 Readjustment and increase in hourly rates of fees.

The hourly rates of fees to be charged for inspection services will be subject to review and reevaluation for possible readjustment not less than every 3 years: *Provided*, That, the hourly rates of fees to be charged for inspection services will be immediately reevaluated as to need for readjustment with each Federal pay act increase.

Dated: March 1, 1962.

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

[F.R. Doc. 62-2196; Filed, Mar. 5, 1962; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 601]

[Airspace Docket No. 61-NY-105]

CONTROL ZONE

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2205 of the regulations of the Administrator, the substance of which is stated below.

The Chincoteague, Va., control zone is presently designated within a 5-mile radius of the NASA Wallops Station extending two miles either side of the west course of the Chincoteague radio range to a point eight miles west of the radio range station, excluding that portion which lies within restricted areas.

The Federal Aviation Agency has under consideration the following alterations to the Chincoteague control zone:

1. Revoke the control zone extension based on the west course of the Chincoteague radio range. The Snow Hill, Md., VOR, a more modern and reliable navigational facility, is available for navigational guidance to aircraft executing instrument approach procedures to the NASA Wallops Station Airport.

2. Designate an extension two miles either side of the 181° True radial of the Snow Hill, Md., VOR extending from the 5-mile radius zone to the VOR.

3. Designate the control zone to be effective during the period 0800–1700 hours, local standard time, Monday through Friday, excluding Federal legal holidays.

The proposed control zone would provide protection for aircraft conducting instrument approach and departure procedures at NASA Wallops Station Airport. The time of designation would coincide with the hours of airport operation. The official weather reports for the NASA Wallops Station Airport would be disseminated through the Federal Aviation Agency, Salisbury, Md., Flight Service Station. Communications with aircraft operating within the proposed control zone would be accomplished by the Federal Aviation Agency, Salisbury, Md., Flight Service Station via the Snow Hill, Md., VOR and its remoted communications outlet.

If this action is taken, the Chincoteague, Va., control zone would be redesignated within a 5-mile radius of NASA Wallops Station Airport, Va. (latitude 37°56'15" N., longitude 75°28'15" W.); and within 2 miles either side of the Snow Hill, Md., VOR 181° True radial extending from the 5-mile radius zone to the VOR, excluding the portion which would coincide with the Chincoteague Inlet, Va., Restricted Area, R-6604. This control zone would be effective from 0800 through 1700 hours local standard time Monday through Friday, excluding Federal legal holidays.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on February 27, 1962.

CLIFFORD P. BURTON,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 62-2165; Filed, Mar. 5, 1962; 8:46 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 62-SW-1]

CONTROL ZONE

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2037 of the regulations of the Administrator, the substance of which is stated below.

The San Angelo, Tex., control zone is designated within a 5-mile radius of Mathis Field, San Angelo, Tex., and within 2 miles either side of the 072° radial of the San Angelo VOR extending from the 5-mile radius zone to 10 miles northeast of the VOR.

The Federal Aviation Agency is considering the designation of a control zone extension within 2 miles either side of the San Angelo ILS localizer southwest course extending from the 5-mile radius zone to the ILS outer marker. This extension would provide protection for aircraft executing instrument approach procedures on the ILS.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Avia-

tion Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on February 27, 1962.

CLIFFORD P. BURTON,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 62-2166; Filed, Mar. 5, 1962; 8:46 a.m.]

[14 CFR Part 608]

[Airspace Docket No. 61-LA-20]

RESTRICTED AREA

Proposed Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 608.57 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration a proposal by the Department of the Army to designate a restricted area at the Umatilla Ordnance Depot at Hermiston, Oreg., as follows:

Boundaries: Beginning at latitude 45°52'00'' N., longitude 119°31'30'' W.; to latitude 45°52'00'' N., longitude 119°-30'00'' W.; to latitude 45°50'00'' N., longitude 119°30'00'' W.; to latitude 45°50'00'' N., longitude 119°31'30'' W.; to the point of beginning. Designated altitudes: Surface to 5,000 feet MSL. Time of designation: 0800 to 2000 P.s.t., Monday through Friday. Using agency: Commanding Officer, Umatilla Ordnance Depot, Hermiston, Oreg.

This proposed restricted area would provide special use airspace to contain hazardous activities connected with the detonation and burning of ammunition. During this neutralization process, explosions may cast debris to 4,500 feet above the surface.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Regional Manager, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on February 27, 1962.

CLIFFORD P. BURTON,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 62-2167; Filed, Mar. 5, 1962; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 698) has been filed by Fine Organics, Inc., 205 Main Street, Lodi, N.J., proposing the amendment of § 121.2520(c)(5) of the food additive regulations to provide for the safe use in adhesives of erucamide.

Dated: February 28, 1962.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 62-2187; Filed, Mar. 5, 1962; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Geological Survey

[Survey Order 221]

CERTAIN OFFICIALS

Redelegation of Authority To Enter Into Leases; Cancellation

Survey Order 221, dated January 13, 1953 (18 F.R. 395) redelegating authority to certain officials to enter into leases for space in buildings to be used for special purposes of the Geological Survey is hereby cancelled.

THOMAS B. NOLAN,
Director.

[F.R. Doc. 62-2199; Filed, Mar. 5, 1962; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[P. & S. Docket No. 402]

MARKET AGENCIES AT UNION STOCK YARDS, CHICAGO, ILLINOIS

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on February 8, 1962, authorizing the respondents, Market Agencies at Union Stock Yards, Chicago, Illinois, to assess the current temporary schedule of rates and charges to and including February 28, 1963, unless modified or extended by further order before the latter date.

On February 14, 1962, a petition was filed on behalf of the respondents requesting authority to modify, as soon as possible, the current temporary schedule of rates and charges as indicated below:

1. Item No. C-11 in Section C would be amended to read: "The rates for buying sheep or goats shall be the same as the rates shown in Section B for selling such livestock."

2. Item No. D-3 in Section D would be amended to read: "When slaughter live stock bought by the purchaser himself, who has posted a bond with, and satisfactory to, the Secretary of The Chicago Live Stock Exchange, to guarantee payment for his purchases, is paid for, or any other service is rendered in connection therewith, a service charge equal to 50 percent of the regular buying charge shall be assessed."

The modifications, if authorized, will produce additional revenue for the respondents, increase the cost of marketing livestock, and clarify the provisions of Item D-3 in Section D of the current temporary schedule of rates and charges. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 15 days after the publication of this notice.

Done at Washington, D.C., this 1st day of March 1962.

CLARENCE H. GIRARD,
Director, Packers, and Stockyards Division, Agricultural Marketing Service.

[F.R. Doc. 62-2206; Filed, Mar. 5, 1962; 8:50 a.m.]

[P. & S. Docket No. 435]

MARKET AGENCIES AT UNION STOCK YARDS, DENVER, COLORADO

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on June 23, 1961 (20 A.D. 595), continuing in effect to and including July 31, 1963, an order issued on July 28, 1959 (18 A.D. 804), authorizing the respondents, Market Agencies at Union Stock Yards, Denver, Colorado, to assess the current temporary schedule of rates and charges.

On February 14, 1962, a petition was filed on behalf of the respondents requesting authority to modify the current temporary schedule of rates and charges by adding the following provision therein:

Article 3, Section E

On all livestock passing through the ring of the Denver Union Stock Yards at the Special Stocker Feeder Sales, there shall be collected in addition to the regular selling commission the following auctioneer's fee:

Cattle or calves----	$0.25 for each head
Cattle or calves----	5.00 for each load

For the purpose of establishing these charges, 35 yearlings or 50 calves will constitute a load. The per head charge or the load rate, whichever is less, will apply. The definition of cattle or calves as set forth under Article 1 shall be applicable at these sales.

This rate is to be applied for the Special Feeder Sales only and does not alter existing tariffs on cattle sold during National Western Stock Show Week.

The modification, if authorized, will produce additional revenue for the respondents and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 15 days after the publication of this notice.

Done at Washington, D.C., this 1st day of March 1962.

CLARENCE H. GIRARD,
Director, Packers and Stockyards Division, Agricultural Marketing Service.

[F.R. Doc. 62-2207; Filed, Mar. 5, 1962; 8:50 a.m.]

Office of the Secretary

IDAHO

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321(a) of Public Law 87-128 (7 U.S.C. 1961) it has been determined that in the hereinafter named counties in the State of Idaho, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

IDAHO

Fremont Madison

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1962, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 28th day of February 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62-2186; Filed, Mar. 5, 1962; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13419; Order E-18056]

AMERICAN AIRLINES, INC., ET AL.

Reduced Freight Rates; Order of Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 28th day of February 1962.

In the matter of reduced freight rates in effect for American Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., Docket 13419.

By tariff revisions effective February 9, 1962, American Airlines, Inc. (American), Trans World Airlines, Inc. (TWA), and United Air Lines, Inc. (United) have published a rate of $12 per 100 pounds at a minimum weight of 1,500 pounds on Group 569, office machines, from San Francisco to New York. This rate became effective on one day's notice under authority of the Board's Special

Tariff Permission CAB No. 15471, dated February 8, 1962.

By Order E–17993, adopted February 8, 1962, the Board had vacated the suspension of the identical rate proposed by The Flying Tiger Line Inc. (Tiger), thereby enabling that carrier to put it in effect on less than statutory notice. The Board, however, decided to maintain the investigation of this rate that had previously been instituted (Order E–17806, dated December 5, 1961), in view of its low level. For the same reason, the Board finds that the same rate put into effect by American, TWA, and United may be unjust or unreasonable, or unduly discriminatory, or unduly preferential, or unduly prejudicial, and should be investigated.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof: *It is ordered,* That:

1. An investigation is instituted to determine whether the specific commodity rate, subject to the minimum weight of 1,500 pounds, applying on Commodity Group No. 569 from San Francisco, Cal., to New York, N.Y., via routing "AA, TW, UA" on 58th Revised Page 107 of Agent B. H. Smith's C.A.B. No. 12, including subsequent revisions and reissues thereof, is, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful rates.

2. The proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

3. Copies of this order shall be filed with the tariff and shall be served upon American Airlines, Inc., The Flying Tiger Line Inc., Trans World Airlines, Inc., and United Air Lines, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62–2197; Filed, Mar. 5, 1962; 8:49 a.m.]

[Docket No. 13422; Order E–18060]

TRANS INTERNATIONAL AIRLINES, INC.

Reduced Charter Rates; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of March 1962.

Trans International Airlines, Inc., has filed tariff revisions to become effective March 4, 1962, proposing a cargo charter rate for L–1049H aircraft of $2.25 per aircraft mile. This rate is for service between points within the United States, and between points within the United States, on the one hand, and points outside the United States, on the other hand. The ferry rate of $2.25 per mile is also included in the tariff. Riddle Airlines, Inc., has filed a complaint against the rate, and has requested that Trans International's tariff be suspended and investigated.[1]

The newly proposed rate of $2.25 per mile for L–1049H aircraft appears to be below the general pattern established for such aircraft for cargo charters within the United States, and raises significant questions as to its lawfulness. The carrier has submitted no justification for its proposal.

Upon consideration of this tariff and all relevant matters, the Board finds that the tariff proposal, insofar as it involves interstate and overseas air transportation,[2] may be unjust, or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, and should be investigated. In view of the departure of this proposal from the existing general level of rates, and in accordance with the action of the Board in similar cases,[3] the Board has concluded to suspend the operation of such L–1049H tariff proposal and the use thereof pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a), 404, and 1002 thereof: *It is ordered,* That:

1. An investigation is hereby instituted to determine whether the rates per charter mile and per ferry mile for L–1049H aircraft applicable for use in interstate air transportation and overseas air transportation on 5th Revised Page 15 to Agent John J. Klak Air Cargo Rates Tariff No. C–1, C.A.B. No. 6, are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful rates.

2. Pending investigation, hearing, and decision by the Board, the rates per charter mile and per ferry mile for L–1049H aircraft applicable for use in interstate air transportation and overseas air transportation on 5th Revised Page 15 to Agent John J. Klak Air Cargo Rates Tariff No. C–1, C.A.B. No. 6, are suspended and their use deferred to and including June 1, 1962, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board.

3. The proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

4. Copies of this order shall be filed with the tariff and shall be served upon Trans International Airlines, Inc.

5. The complaint filed by Riddle Airlines, Inc., in Docket 13414 is dismissed.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62–2198; Filed, Mar. 5, 1962; 8:49 a.m.]

[1] Riddle's complaint was not timely filed in accordance with Rule 302.505, nor was good cause shown therefor. Accordingly, Riddle's complaint will be dismissed.

[2] Section 101(21) Federal Aviation Act of 1958.

[3] Overseas National Airways, Order E–16462 dated March 2, 1961. Flying Tiger, Order E–17789, December 1, 1961, and Order E–18037, February 19, 1962.

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14537–14545; FCC 62–223]

W.W.I.Z., INC., ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issue

In re applications of I. W.W.I.Z., Inc., Lorain, Ohio, (a) for renewal of license of Station WWIZ, Lorain, Ohio, Docket No. 14537, File No. BR–3707, (b) for voluntary transfer of control of Station WWIZ, Lorain, Ohio, from Sanford A. Schafitz, transferor, to The Lorain Journal Company, transferee, Docket No. 14538, File No. BTC–3765; II. Sanford A. Schafitz, Farrell, Pennsylvania, (a) for renewal of license of Station WFAR, Farrell, Pennsylvania, Docket No. 14539, File No. BR–3014, (b) for license to cover construction permit for Station WFAR, Farrell, Pennsylvania, Docket No. 14540, File No. BL–7798, (c) for modification of license of Station WFAR, Farrell, Pennsylvania, Docket No. 14541, File No. BML–1881, (d) for license to cover construction permit for Station WFAR, Farrell, Pennsylvania, Docket No. 14542, File No. BL–8024; III. Sanford A. Schafitz and Guy W. Gully, d/b as Community Telecasting Company, Youngstown, Ohio, (a) for modification of construction permit for Station WXTV, Youngstown, Ohio, Docket No. 14543, File No. BMPCT–5451, (b) for assignment of construction permit from Community Telecasting Company, assignor, to WXTV, Inc., assignee, Docket No. 14544, File No. BAPCT–276, (c) for license to cover construction permit for Station WXTV, Youngstown, Ohio, Docket No. 14545, File No. BLCT–1063.

1. The Commission has before it for consideration (1) the above-captioned applications; (2) the Commission's letter of January 12, 1961 to Sanford A. Schafitz in connection with the application for renewal of license of Station WFAR, Farrell, Pennsylvania; (3) the replies to the Commission's letter filed on February 23, 24, and 28, 1961; (4) a "Petition to Deny" the application for transfer of control of WWIZ, Inc., filed on July 13, 1961, by the Elyria-Lorain Broadcasting Company, licensee of Stations WEOL and WEOL–FM, Elyria, Ohio; (5) a "Supplement to Petition to Deny", filed on July 25, 1961; and (6) an "Opposition to Petition to Deny", filed on August 3, 1961, by the Lorain Journal Company.[1]

[1] On July 25, 1961, the Lorain Journal Company filed a "Petition for Extension of Time" in which to file an opposition to the petition to deny.

2. Before discussing the matters set forth in the above-captioned applications and the pleadings before us, we feel it necessary to a complete understanding of the issues involved to discuss the background of the Lorain Journal Company (hereinafter sometimes referred to as the Journal) in connection with the various antitrust proceedings and prior applications filed with this Commission. In 1948, in connection with applications of the Lorain Journal Company for a construction permit for a new radio station in Lorain, Ohio and of the Mansfield Journal Company (both companies commonly owned) for a construction permit for a new FM station in Mansfield, Ohio, the Commission found the two companies not to be qualified to hold broadcast licenses because of certain activities directed toward suppressing competition in the dissemination of news and information.[2] The activities referred to subsequently provided the basis for the successful prosecution of a civil action for violation of the Sherman Act.[3] Again, in 1958, and in connection with the application of the Mansfield Journal Company for the assignment of license of Station WCLW, Mansfield, Ohio, the Commission designated the application for hearing on issues similar, in part, to those discussed by the Commission in its decision in 1948.[4] The 1958 application was subsequently dismissed at the request of the assignor, the stated reason being that the termination date of the purchase contract had expired.

3. On February 6, 1959, WWIZ, Inc., filed an amended Ownership Report (Form 323) which stated that pursuant to a contract dated November 12, 1958, Sanford A. Schafitz had transferred 45 percent of the common voting stock and 100 percent of the authorized non-voting preferred stock of WWIZ, Inc., to the Lorain Journal Company. Because of the past background of the Journal, the unusual circumstances surrounding the stock transfer of WWIZ, Inc. (two of the three directors of WWIZ, Inc., appeared to be connected with the Journal), and the possibility that, under the circumstances, there may have been an unauthorized transfer of control of WWIZ, Inc., to the Journal a field investigation was conducted into the corporate structure and records of WWIZ, Inc., and the operation of Station WWIZ. As a result of the investigation, it was found that two of three corporate officers and two of the three directors[5] of WWIZ, Inc., are also associated with the Journal; that the corporate records of WWIZ, Inc., are maintained by an attorney for the Journal; that the auditor of the Journal, who is also the treasurer of WWIZ, Inc., cosigns all checks issued by WWIZ, Inc.; and that under the bylaws of WWIZ, Inc., Schafitz could not effect a change in the directors of the licensee corporation until the end of their terms.

4. Due to the questions raised by the above matters, a letter was directed to Sanford A. Schafitz on January 12, 1961 in connection with the application for renewal of license of Station WFAR in which Schafitz was advised, among other things, that information in the possession of the Commission indicated that he may have transferred positive control of the licensee of Station WWIZ to the Journal without prior Commission approval. In addition, we also raised questions (a) with respect to the failure of Schafitz, in filing several applications on behalf of Station WXTV, Youngstown, Ohio, to disclose facts of which he had knowledge surrounding the indictment for mail fraud of Guy W. Gully, an equal partner in the permittee of Station WXTV and (b) with respect to the intention of Schafitz to employ Leonard J. Schafitz, his brother, in some capacity at WXTV, contrary to representations made by him (Sanford A. Schafitz) in connection with the application for construction permit for Station WXTV. In reply, Schafitz submitted statements and affidavits which have been given due and careful consideration.

5. A review of the application for renewal of license of Station WFAR in light of the proposals made in the prior permit application reveals that substantially less time was devoted to religious, educational, discussion and talks programs than had been proposed; that no substantial changes in the proposed operation of the station are contemplated; and that an unexplained discrepancy exists between prior proposals with respect to live programs and commercial operations and actual performance in these areas.

6. A review of the technical portion of the application for renewal of license of Station WWIZ discloses that the applicant has failed to complete the application or furnish necessary information. Further, the composite week transmitter logs indicate that there was no variation between the last stage plate voltage, plate current and antenna current readings. Such readings, we feel, are improbable, and indicate, at the least, that the transmitter logs may have been prepared in advance, contrary to the provisions of §§ 3.111 and 3.113 of the rules. There is also outstanding a violation notice against the station, issued on June 13, 1961, for violation of § 3.93(c) of the rules.

7. On July 13, 1961, the Elyria-Lorain Broadcasting Company, licensee of Stations WEOL and WEOL–FM, Elyria, Ohio, filed a "Petition to Deny" the application for transfer of control of WWIZ, Inc. In the petition and the supplement thereto, filed on July 25, 1961, the petitioner stated that it would suffer economic injury by a grant of the application and that it was, therefore, a party in interest; that the issues specified in the hearing order adopted by the Commission (Docket No. 12740, BAL–3126) in connection with the application for assignment of license of Station WCLW, Mansfield, Ohio, to the Mansfield Journal Company (commonly owned with the Lorain Journal Company) have never been resolved by the Commission since the parties thereto subsequently dismissed the application prior to hearing; that the officers, directors and shareholders of the Mansfield Journal are the same persons as are involved in the Lorain Journal Company; that the instant application does not attempt to resolve the issues raised in the WCLW application; that the Commission was not satisfied at that time that the Journal's officers, directors and shareholders had the necessary qualifications to be a licensee of the Commission and nothing has occurred subsequently to resolve the doubt.

8. The petitioner states further that the 45 percent stock transfer of WWIZ, Inc. to the Lorain Journal and the surrounding circumstances of the transfer constituted an unauthorized transfer of control; that this action disqualifies both Schafitz and the Journal; that the By-Laws, Articles of Incorporation and Appointment of Agent submitted with the application for assignment of construction permit (BAP–403) for Station WWIZ to WWIZ, Inc., designated one William Wickens as the corporate agent and designated his offices as the principal office of WWIZ, Inc.; that Wickens is, in fact, legal counsel for the Journal; that as of November 12, 1958, according to the Ownership Reports filed by Schafitz, he owned all of the voting stock of WWIZ, Inc.; that despite this fact, on the same day, at the first election of officers and directors of WWIZ, Inc., two of the three directors elected were closely associated with the Journal and two of the three qualified officers also were officers of the Journal; and that recent amendments to the By-Laws and Code of Regulations of WWIZ, Inc., guarantee control of WWIZ, Inc., by the Journal.

9. Petitioner states, in conclusion, that the instant application is an attempt to legitimize the illegal control of WWIZ, Inc. by the Journal and to secure Commission approval of a blatant atempt to traffic in a license; that the reasons stated by Schafitz for selling the balance of his stock in WWIZ, Inc. (to provide additional financing and time to the operations of Station WXTV, Youngstown, Ohio) are spurious; and that the above facts constitute the "'in-and-out' story of a promoter of a construction permit." Petitioner requests that the instant application for transfer of control of WWIZ, Inc., be designated for hearing and that petitioner be made a party to the proceeding.

10. In an opposition to the petition to deny, filed by the Lorain Journal, it is counter-alleged, in essence, that the instant petition is merely the latest in a

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[2] In re Fostoria Broadcasting Company, 3 R.R. 2014(a) (1948); aff'd, Mansfield Journal Company v. F.C.C.; Lorain Journal Company v. F.C.C., 180 F. (2d) 28, 86 U.S. App. D.C. 102, 5 R.R. 2074(e) (1950).

[3] U.S. v. Lorain Journal Company, 92 F. Supp. 794, 6 R.R. 2037; aff'd, 72 S. Ct. 181 (1951).

[4] In the Matter of Frederick Eckhardt, tr/as Mansfield Broadcasting Company (Assignor) and Mansfield Journal Company (Assignee) For Consent to the Assignment of License of Station WCLW, Mansfield, Ohio, Docket No. 12740, File No. BAL–3126, FCC 59–56 (January 28, 1959).

[5] The directors are Sanford A. Schafitz, Harry R. Horvitz, president of the Lorain Journal Company, and William C. Wickens. In a statement filed by Mr. Wickens, he indicated that his selection as a third director had been agreed upon by Horvitz as well as Schafitz.

long series of harassment by the petitioner; that nothing sinister can be inferred from the dismissal of the application of the Mansfield Journal to purchase Station WCLW since the agreement was terminated by the assignor when the termination date of the contract expired; that at the time of the antitrust matters referred to, no present officer, director or shareholder of either corporation or newspaper was either an officer, director or shareholder of either company or had anything to do with the establishment of policies of either company or newspaper during such period; that it was not until the death of S. A. Horvitz in 1956 that any present officer, director or shareholder of either company took part in the policy determinations for either company or newspaper; that the petition does not charge any present officer, director or shareholder with anything unlawful in connection with the operations of either company or newspaper; and that since the decrees were entered in the past antitrust cases, no complaints have been made as to the violation of any of the terms of the said decrees. The Journal stated further that the president, treasurer and controlling shareholder under a trust of the owner of the only other newspaper in Lorain County is also the president and director of the licensee of Station WEOL, the petitioner herein; that if the Journal's acquisition of a minority interest in WWIZ, Inc., disqualifies WWIZ, Inc., then the petitioner is similarly disqualified since its largest shareholder has never been approved by the Commission; that the affidavit of William C. Wickens (attached to the pleading as an exhibit) is proof that Wickens is not under the control of the Journal. In conclusion, the Journal stated that it and WWIZ, Inc., have complied with all of the Commission's rules in filing ownership reports and stock transfer agreements; that since all of the information in the petition appears to have been taken from Commission files, the Commission could not have been deceived or misled; that Schafitz at the present time and in the past have never owned less than control of the voting stock of WWIZ, Inc.; that the charges that Schafitz is an "in-and-out" promoter of a construction permit are "patently absurd;" and that the petition should be denied. WWIZ, Inc., did not submit any opposing pleading.[*]

11. In light of petitioner's allegations that Stations WWIZ and WEOL are in direct competition for news and advertising revenues; that, at present, approximately one-half of the non-national advertising revenues of WEOL come from advertisers who have their principal places of business in Lorain; that petitioner competes with the Lorain Journal as well as WWIZ for news and advertising revenues from the City of Lorain; and that if the Commission grants the application for transfer of control of Station WWIZ to the Lorain Journal, Station WEOL will sustain a direct and substantial economic injury from the resultant consolidation of power and resources, we find that petitioner is a party in interest within the meaning of section 309(d)(1) of the Communications Act of 1934, as amended, and § 1.359(i) of the Commission's rules. Sanders Bros. Radio Station v. F.C.C., 309 U.S. 470 (1940); Camden Radio, Inc. v. F.C.C., 94 U.S. App. D.C. 312; 220 F. 2d 191; 10 R.R. 2072 (1954); petition for rehearing denied at 10 R.R. 2075a (1955); In re General-Times Television Corp., 13 R.R. 1049 (1956).

12. The above matters raise serious questions which remain unresolved, questions involving, among others, a possible unauthorized transfer of control, misrepresentations to the Commission, character qualifications, etc. Since we are unable to make the requisite finding that a grant of the applications would serve the public interest, convenience or necessity, we are, on our own motion, designating the applications for hearing on the issues raised. Elyria-Lorain Broadcasting Company is being made a party to said hearing.

13. With respect to petitioner's request that we include as issues those which were framed in the hearing order on the 1958 application of Mansfield Journal to acquire Station WCLW, Mansfield, Ohio, we have concluded that no basis exists for compliance with said request. The petition contains no allegations, statements of fact or affidavits in support of such issues. They were originally framed on the basis of facts within the knowledge of the party who petitioned for a hearing at that time. They were alleged to have occurred more than three years ago and the Commission has no independent information with respect thereto. They have not been realleged by the instant petitioner nor has it asserted and shown that the alleged objectionable activities have continued or that they are presently being carried on.

In the light of the above: *It is ordered*, This 21st day of February 1962, that, to the extent indicated herein, the petition to deny, filed by the Elyria-Lorain Broadcasting Company, on July 13, 1961, is granted; and that it is, in all other respects, denied:

It is further ordered, That, pursuant section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine (a) whether, prior to November 12, 1958, there existed between the parties to the application for transfer of control of WWIZ, Inc., and their principals any agreement or understanding to effectuate a transfer of control of WWIZ, Inc., to the Lorain Journal Company, without the prior consent of the Commission; (b) whether there existed between the parties to said application, and their principals, at the time of the execution of the November 12, 1958 stock transfer contract, any agreement or understanding to effectuate a transfer of control of WWIZ, Inc., to the Lorain Journal, without the prior consent of the Commission; (c) whether there existed between the parties to said application, and their principals, at the time of the transfer of 45 percent of the authorized common stock of WWIZ, Inc., on January 28, 1959, any agreement or understanding to effectuate a transfer of control of WWIZ, Inc., to the Lorain Journal Company without the prior consent of the Commission; (d) whether the execution and/or consummation of the November 12, 1958 stock transfer contract and/or the simultaneous purchase of 100 percent of the authorized preferred stock of WWIZ, Inc., by the Lorain Journal Company and/or the maintenance of certain corporate records of WWIZ, Inc., by the Lorain Journal Company and/or the election of certain directors and officers of WWIZ, Inc., on November 12, 1958 and/or certain amendments to the by-laws and code of regulations of WWIZ, Inc., and/or the exercise by the Lorain Journal Company of certain authority over the expenditures of WWIZ, Inc., were designed to effectuate a transfer of control of WWIZ, Inc., to the Lorain Journal Company without the prior consent of the Commission; (e) whether, as a result of the above actions, control of WWIZ, Inc., was transferred to the Lorain Journal Company without the prior consent of the Commission; and (f) whether the Lorain Journal Company has exercised control over WWIZ, Inc., without the prior consent of the Commission.

2. To determine whether WWIZ, Inc., has failed to furnish the information required by the application form and/or has failed to prosecute its application (BR-3707) for renewal of license of Station WWIZ; and if so, whether said application should be dismissed pursuant to §§ 1.304 and 1.312 of the Commission's rules.

3. To determine whether, during the past license period of Station WWIZ, WWIZ, Inc., violated the provisions of §§ 3.93(c), 3.111, and 3.113 of the Commission's rules.

4. To determine whether a substantial variance existed between the programming representations set forth in the application for a construction permit (BP-11286) for Station WFAR and its programming operations during the past license period, and if so, whether the Commission can rely upon the present programming representations of Sanford A. Schafitz; and whether his proposals are designed to meet the needs and interests of Farrell, Pennsylvania.

5. To determine whether, in various applications filed before the Commission, Sanford A. Schafitz and Guy W. Gully, d/b as Community Telecasting Company engaged in misrepresentations to the Commission and/or were lacking in candor, and/or omitted to set forth material facts with respect to the indictment of Guy W. Gully for violation of

[*] On December 19, 1961, petitioner filed a "Reply" to the opposition to which was attached a copy of an Opinion issued by the United States Court of Appeals for the Sixth Circuit in case no. 14469, The Elyria-Lorain Broadcasting Company v. The Lorain Journal Company, et al. In said Opinion, the Court held that the finding of the lower Court that the plaintiff-appellant had failed to prove the fact of damage, the proximate cause and the amount of damage is clearly erroneous and should be set aside and that the judgment dismissing the complaint should be reversed.

the provisions of Title 15, Section 77 of the United States Code.

6. To determine whether the employment of Leonard J. Schafitz at Television Station WXTV, Youngstown, Ohio was contrary to the representations made by the permittee in the application (BPCT–2015) for a construction permit for said station.

7. To determine whether, in light of the evidence adduced with respect to the foregoing issues, the above-captioned applicants possess the requisite qualifications to be licensees of the Commission.

8. To determine whether, in light of the evidence adduced with respect to the foregoing issues, a grant of any of the above-captioned applications would serve the public interest, convenience or necessity.

It is further ordered, That, the Elyria-Lorain Broadcasting Company is hereby made a party to the proceedings herein.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant herein, and the Elyria-Lorain Broadcasting Company, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the applicants herein, shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 3.162(b) of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: March 1, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62–2201; Filed, Mar. 5, 1962; 8:50 a.m.]

[Docket No. 14085 etc.; FCC 62–221]

COMMUNITY SERVICE BROADCASTERS, INC., ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of Community Service Broadcasters, Inc., Ypsilanti, Michigan, Docket No. 14085, File No. BP–13846; Storer Broadcasting Company (WJBK), Detroit, Michigan, Docket No. 14294, File No. BP–14275; et al., for construction permits.

1. The Commission has before it for consideration (a) a motion to enlarge and change issues filed November 8, 1961, by Post-Newsweek Stations (WTOP), Washington, D.C.; (b) an opposition filed November 30, 1961, by Storer Broadcasting Company (WJBK), Detroit, Michigan; (c) an opposition of Broadcast Bureau filed November 30, 1961; (d) a reply to opposition filed December 11, 1961, by Post-Newsweek Stations; (e) comments of Broadcast Bureau filed December 28, 1961; (f) a reply to Broadcast Bureau's comments filed January 15, 1962, by Post-Newsweek Stations; (g) a response to Broadcast Bureau's comments filed January 15, 1962, by Storer Broadcasting Company; (h) a petition for reconsideration or enlargement of issues filed November 3, 1961, by KSTP, Inc. (KSTP), St. Paul, Minnesota; (i) a response of Storer Broadcasting Company to petition of KSTP, Inc., filed November 30, 1961; and (j) a supplement to response of Storer Broadcasting Company filed December 26, 1961.

2. The petitioners, KSTP, Inc., and Post-Newsweek Stations, seek enlargement of issues or reconsideration of Issue 19 which affects the proposal of Storer Broadcasting Company. The petition of KSTP, Inc., is directed to the omission of radiation restrictions in the direction of Station KSTP in the clause setting forth the conditions in the event of a grant of Storer's application. KSTP and Storer have subsequently reached an agreement on the limits of radiation in certain directions, and these restrictions will be added to others already specified. As to the petition of Post-Newsweek Stations, it asserts that by using a "quadrature component" method of estimating the maximum expected operating values in the critical vertical angles, there are two instances where the values of radiation exceed that proposed by the applicant; that in those instances, there will be interference to the secondary service area of Station WTOP; that a full protection of Station WTOP requires that Station WJBK limit radiation throughout a sector from true bearing 57.5° to true bearing 179°; and that the operation of Station WJBK within the proposed maximum expected operating values would result in the derogation from the conditions imposed on the present WJBK operation and would work a modification of WTOP's license.

3. Petitioner's allegation of interference to the WTOP secondary service area is based upon its method of determining the maximum expected operating values in the critical vertical angles. It states that it used the "quadrature component" method of estimating the maximum expected operating values "in appropriate situations." However, the petitioner fails to delineate the reasons and the manner in which the relationship between the horizontal and the vertical components were obtained. It does not show that the ratio method (an accepted method) used by the applicant was unreasonable; it only shows that the values were low in comparison to certain instances. Section 1.141(c) of the rules requires that a motion to enlarge the issues shall contain specific allegations of fact sufficient to support the action requested. The affidavit supporting the motion should contain factual engineering showings rather than bare opinions as to the "unreasonableness" of the proposal. (Alkima Broadcasting Company, Docket No. 12414, FCC 61–1462). Moreover, we question the merit of a method which is utilized only "in appropriate situations."

4. As to limiting the radiation to protect WTOP's secondary service area within the continental United States, WJBK offered to restrict radiations on additional bearings. However, WTOP's position is that any increase in radiation above that now authorized to WJBK would result in a modification of WTOP's license, and it has not acknowledged the WJBK's offer. Although certain restrictions on radiation were placed on the construction permit when the present WJBK operation was authorized, which gave WTOP greater protection than recognized by the Commission's Rules, such restrictions were added following an agreement between the parties involved. The Commission is not required to recognize the protection of service area beyond the normally protected contour, and the restrictions placed upon WJBK did not serve to extend the scope of WTOP's license. Thus we will deny the WTOP motion to enlarge the issues.

5. The Broadcast Bureau's proposal in its comments to amend Issue 19 and add an issue should have been filed on November 8, 1961, when a motion to enlarge issues was due. The Bureau assigns no valid reason for its unawareness of the problems at an earlier date, and its proposal will be denied. However, on Commission's own motion, the hearing issues would be amended and enlarged as suggested by the Broadcast Bureau as these are matters as to which additional information, raised by the pleadings, would be desirable. We will also add to the conditional clause the radiation restrictions proposed by WJBK to protect the secondary service area of Station WTOP.

It is ordered, This 21st day of February 1962, that the motion to enlarge and change issues filed by Post-Newsweek Stations and the proposal to amend and add an issue filed by the Broadcast Bureau in its comments are denied:

It is further ordered, That the petition for reconsideration or enlargement of issues filed by KSTP, Inc., is granted;

It is further ordered, On the Commission's own motion, that the issues in the designation order, released October 17, 1961 (FCC 61–1204) and as amended by order released January 19, 1962, (FCC 62–84) are amended by adding to Issue 19 the following: "and whether such MEOV's are reasonable" and by renumbering Issue 20 through 32 as Issue 21 through 33 and the following Issue 20 is added:

20. To determine in light of the evidence adduced pursuant to Issue 19 whether the proposal of Storer Broadcasting Company will cause interference to the existing nighttime operations of Stations KSTP, St. Paul, Minnesota, and WTOP, Washington, D.C., or any other existing stations.

It is further ordered, That the following limitations affecting the proposal of

Station WJBK are added to the present conditions set forth on page 19 of the order:

Condition 2:

Mv/m	*Mv/m*
62°–20.0	287°–22.5
242°–28.5	312°–18.5
252°–23.0	332°–20.2
272°–20.3	

Condition 3:

Mv/m	*Mv/m*
57.5°–37.5	287°–22.5
179°–30.0	292°–21.0
242°–28.5	302°–17.5
252°–23.0	312°–18.5
262°–21.5	322°–18.5
272°–20.3	332°–20.2
282°–20.9	

It is further ordered, That the word "seven" in Condition 6 affecting the proposal of Station WJBK is deleted.

Released: February 28, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62–2202; Filed, Mar. 5, 1962; 8:50 a.m.]

[Docket No. 14548]

ANDRES CALANDRIA

Order Designating Matter for Hearing on Stated Issues

In the matter of Andres Calandria, New Orleans, Louisiana, Docket No. 14548; suspension of Amateur Radio Operator License—K5MVP.

The Commission having under consideration the request of Andres Calandria of 1405 Jefferson Avenue, New Orleans, 15, Louisiana, for a hearing in the above-entitled matter;

It appearing that the said Andres Calandria, acting in accordance with the provisions of section 303(m)(2) of the Communications Act of 1934, as amended, filed with the Commission within the time specified therefor, an application requesting a hearing on the Commission's Order of January 18, 1962, which suspended his General Class Amateur Radio Operator License for a period of one year;

It further appearing that under the provisions of section 303(m)(2) of the Communications Act of 1934, as amended, the said licensee is entitled to a hearing in the matter and that, upon his filing of a timely written application therefor, the Commission's Suspension Order is held in abeyance until the conclusion of proceedings in the hearing;

It is ordered, This 27th day of February 1962, under authority contained in section 303(m)(2) of the Communications Act of 1934, as amended, and section 0.292(f) of the Commission's Statement of Delegations of Authority that the matter of the suspension of the General Class Amateur Radio Operator License of Andres Calandria be designated for hearing before a Commission Examiner (at a time and place later to be specified), upon the following issues:

1. To determine whether the licensee committed the violations of the Commission's rules as set forth in the Commission's Order of Suspension;

2. If the licensee committed such violations, to determine whether the facts or circumstances in connection therewith warrant any change in the Commission's Order of Suspension.

It is further ordered, That a copy of this order be transmitted by Certified Mail—Return Receipt Requested to Andres Calandria at 1405 Jefferson Avenue, New Orleans 15, Louisiana.

Released: February 28, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62–2203; Filed, Mar. 5, 1962; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

BLUE FUNNEL LINE ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 8767, between the carriers comprising the Blue Funnel Line and the Barber-Fern-Ville Lines joint services (operating under approved joint service Agreements 7568 and 8512, respectively), covers a through billing arrangement in the trade from ports in Western Australia to U.S. Atlantic ports, with transhipment at Singapore.

Agreement 8776, between Lykes Bros. Steamship Co., Inc., and Gulf and South American Steamship Co., Inc., covers a through billing arrangement in the trade from Puerto Rico to West Coast of South American ports in Colombia, Ecuador, Peru, and Chile, with transhipment at Houston or Galveston, Texas.

Agreement 8809, between A/S Ivarans Rederi and A. H. Bull Steamship Co., covers a through billing arrangement in the trade from Uruguay, Brazil, and Argentina to Puerto Rico, with transhipment at New York, Baltimore, or Philadelphia.

Interested parties may inspect these agreements and obtain copies thereof at the Bureau of Foreign Regulations, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: March 1, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62–2189; Filed, Mar. 5, 1962; 8:48 a.m.]

[Docket No. 965]

PACIFIC COAST TERMINALS

Investigation of and Proposed Rules Relating to Practices in Granting Free Time and Collecting Wharf Demurrage and Storage Charges; Notice of Extension of Time

Whereas, Northwest Marine Terminal Association has requested that the time by which it may file a written statement of its views in the within proceeding be extended to March 26, 1962; and

Whereas, good cause appearing;

Now, therefore, it is ordered, That the time by which interested persons may file written statements with the Commission is extended to March 26, 1962.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

FEBRUARY 23, 1962.

[F.R. Doc. 62–2190; Filed, Mar. 5, 1962; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. CP61–180 etc.]

EL PASO NATURAL GAS CO. ET AL.

Notice of Applications and Date of Hearing

FEBRUARY 27, 1962.

El Paso Natural Gas Company, Docket No. CP61–180; Western Natural Gas Company, Docket No. CI61–971; Aztec Oil & Gas Company, Docket No. CI61–978; Gulf Oil Corporation, Docket No. CI61–1021; Cooley & Holcomb, Docket No. CI61–1025; Alamo Corporation, Docket No. CI61–1026; M. C. Kramer and Wife, Molly M. Kramer, Docket No. CI61–1027; Southwestern Hydrocarbon Company, Docket No. CI61–1028; Southwestern Hydrocarbon Company, et al., Docket No. CI61–1029; Southwestern Hydrocarbon Company, et al, Docket No. CI61–1030; Western Drilling Company of Longview, Texas, Docket No. CI61–1045; Minnie Belle Heep, et al., Docket No. CI61–1046; J. Ray McDermott & Co., Inc., Docket No. CI61–1061; Sinclair Oil & Gas Company, Docket No. CI61–1138; Aikman Brothers, Docket No. CI61–1373.

Take notice that on December 30, 1960, as supplemented on May 3, June 22, and August 15, 1961, El Paso Natural Gas Company (El Paso), P.O. Box 1492, El Paso, Texas, filed in Docket No. CP61–180 an application pursuant to section 7(c) of the Natural Gas Act (Act) for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities hereinafter described, to receive natural gas from the applicant producers thereof, all as more fully described in the application, as supplemented, in said Docket No. CP61–180, which is on file with the Commission and open to public inspection.

The proposed facilities for which authorization is sought consist of approximately 14.2 miles of 6⅝-inch supply lateral pipeline extending from Sinclair Oil & Gas Company's existing processing

and compressing Plant No. 29 to El Paso's proposed Sawyer Dehydration Plant, all in Lea County, New Mexico; an orifice type meter station at Sinclair's Plant No. 29; approximately 15 miles of 4½ to 6⅝-inch field pipelines extending from the aforesaid supply lateral to each producer's wells in the Sawyer Field; a field dehydration plant of 10,000 Mcf daily capacity (Sawyer Dehydration Plant); and 27 high pressure well ties and appurtenant facilities.

The estimated total cost of the facilities proposed by El Paso is approximately $727,000, which will be financed from funds on hand or by short term bank loans.

No additional markets are proposed by El Paso, the purpose of the subject facilities being to enlarge El Paso's general system supply.

In the fourteen other dockets listed in the caption hereof, the respective applicant producers have filed applications pursuant to section 7(c) of the Act for authorization to sell natural gas produced in the Sawyer Field to El Paso at an initial price of 15.5 cents per Mcf at 14.65 psia under separate gas sales contracts with El Paso which have been or will be filed with the Commission.

These related matters, with the exception of Sinclair Oil & Gas Company's application in Docket No. CI61–1138 which will require further consideration, should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 29, 1962, 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 such applications: *Provided, however,* That the Commission may, after a noncontested 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 Applicants 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 March 20, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOESPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–2168; Filed, Mar. 5, 1962; 8:46 a.m.]

[Docket No. RI62–19 etc.]

W. L. HARTMAN ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates; Correction

FEBRUARY 27, 1962.

In the order providing for hearings on and suspension of proposed changes in rates, issued August 23, 1961, and published in the FEDERAL REGISTER on August 30, 1961 (F.R. Doc. 61–8273; 26 F.R. 8121): In the first line of the chart, under the column headed "Proposed increased rate" change "0.8933" to read "11.1662."

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62–2171; Filed, Mar. 5, 1962; 8:46 a.m.]

[Docket No. CP61–172 etc.]

SOUTHERN CALIFORNIA EDISON CO. ET AL.

Notice of Applications, Consolidation of Proceedings and Fixing Date of Hearing

FEBRUARY 27, 1962.

Southern California Edison Company, Docket No. CP61–172; Tennessee California Gas Transmission Company, Docket No. CP61–173; California Gas Transmission Company, Docket No. CP61–174; Tennessee California Gas Transmission Company, Docket No. CP61–212.

Take notice that on February 17, 1961, Tennessee California Gas Transmission Company (TennCal), a Texas corporation having its principal place of business in the Tennessee Building, Houston, Texas, filed in Docket No. CP61–212 an aplication, as supplemented on May 2, 1961, for a certificate of public convenience and necessity for authorization, pursuant to section 7(c) of the Natural Gas Act (Act), to construct and operate certain facilities for the transportation of natural gas, all as more fully represented in the application which is on file with the Commission and open for public inspection.

TennCal seeks authorization to construct and operate aproximately 105 miles of 26-inch O.D. pipeline extending from a point in Kleberg County, Texas, to the United States-Republic of Mexico International Boundary near Reynosa, Mexico, for the purpose of receiving and transporting to the International Boundary natural gas which Southern California Edison Company (Edison) has agreed to purchase from producers in Texas. In the fifth year of operation, the average daily volumes will be approximately 380,000 Mcf (at 14.73 psia). The estimated cost of the facilities, including miscellaneous gathering lines, is approximately $11,947,000 which will be obtained through financing arrangements which contemplate the issuance of 5¾ percent interest first mortgage pipeline bonds, unsecured bank loans at 6 percent interest and the issuance of common stock. The proposed equity capital is to be 23 percent of the outstanding and proposed securities.

The natural gas which TennCal proposes to transport to the International Boundary near Reynosa for Edison would be delivered into new pipeline facilities estimated to cost $165,000,000. These facilities, consisting of approximately 1,185 miles of 34-inch O.D. pipeline and 49,500 compressor horsepower, are to be constructed, financed (by the issuance of 7 percent interest primary and secondary bonds), owned and operated by Petroleos Mexicanos (Pemex), the national oil and gas institution of the Republic of Mexico. Pemex will transport the gas across the Republic of Mexico to a point on the International Boundary near Mexicali, Mexico.

At that point, a new pipeline system comprised of 219 miles of 34-inch O.D. main line and 67 miles of 24–inch and 20-inch O.D. delivery laterals, 10,000 horsepower compression and related facilities are to be constructed, owned and operated in the State of California by California Gas Transmission Company (CalGas).[1] The total estimated cost of construction is $48,664,000 which will be financed by first mortgage pipeline bonds, unsecured bank loans and the issuance of common stock. This pipeline system will connect with the pipeline facilities of Pemex and transport the natural gas to the metropolitan area of Los Angeles, California for consumption in electric generating stations owned and operated by Edison in that area.

On December 23, 1960, TennCal and CalGas filed applications for Presidential Permits in Docket Nos. CP61–173 and CP61–174, which respectively request authorization to construct, operate and maintain pipeline facilities on the United States—Republic of Mexico International Boundary near Reynosa and Mexicali, Mexico.

On that same date, Edison filed an application with the Commission in Docket No. CP61–172, as supplemented on March 8, 1961, May 11, 1961, and September 25, 1961, requesting authorization under section 3 of the Act to (1) export an average daily volume of 380,000 Mcf (at 14.73 psia) of natural gas which it will purchase in the State of Texas to the Republic of Mexico for transmission across the northern part of the Republic of Mexico to a point on the United States-Republic of Mexico International Boundary near Mexicali, Mexico, and (2) import into the United States at a point on the International Boundary near Mexicali, Mexico, the aforesaid natural gas which will be produced in Texas and exported to Mexico plus 75,000 Mcf (at

[1] CalGas states that it has filed an application with the Public Utilities Commission of the State of California for authorization to construct, operate and maintain its proposed pipeline facilities which will be located within the State of California.

14.73 psia) a day of natural gas produced in the Republic of Mexico, which Edison will purchase at a point on the International Boundary near Mexicali, Mexico.

The natural gas originating in Texas will be produced in Texas Railroad Commission District Number Four. It is to be purchased by Edison from the Humble Oil and Refining Company, Pan American Petroleum Corporation, Sun Oil Company and the Shell Oil Company under gas purchase contracts fixing the initial price of the gas at 20.0 cents to 21.5 cents per Mcf.

These related applications should be heard on a consolidated record and to that end:

Take further notice that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held on April 10, 1962, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the maters in and the issues presented by such applications.

Protests, petitions to intervene, and notices of intervention 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 March 26, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-2169; Filed, Mar. 5, 1962; 8:46 a.m.]

[Docket No. CP62-59]

PACIFIC GAS TRANSMISSION CO.

Notice of Postponement of Hearing

FEBRUARY 27, 1962.

Take notice that the hearing in the above-docketed proceedings heretofore scheduled to commence on March 5, 1962, by notice issued on January 31, 1962, and published in the FEDERAL REGISTER on February 7, 1962 (27 F.R. 1127), be and the same is hereby postponed to a date to be fixed by further notice.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-2170; Filed, Mar. 5, 1962; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24W-2263]

EMPLOYEES BENEFIT COMPANY, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

FEBRUARY 28, 1962.

I. Employees Benefit Company, Inc. (issuer), 6223 Blair Road NW., Washington, D.C., a Maryland corporation, incorporated on December 27, 1957, filed with the Commission on May 25, 1959, a notification on Form 1-A and an offering circular relating to an offering of 9,969 shares of 6 percent, $10 par noncumulative preferred stock for an aggregate amount of $99,690 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that:

1. The issuer failed to file a revised offering circular as required by Rule 256(e) under Regulation A.

2. The issuer failed to file a Form 2-A report as required by Rule 260 under Regulation A.

III. *It is ordered,* Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commisison and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 62-2172; Filed, Mar. 5, 1962; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 364]

NEVADA

Declaration of Disaster Area

Whereas it has been reported that during the month of February 1962, because of the effects of certain disasters, damage resulted to residences and business property located in Lander County in the State of Nevada;

Whereas the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid county and areas adjacent thereto, suffered damage or destruction resulting from flood and accompanying conditions occurring on or about February 12, 1962.

Office: Small Business Administration Regional Office, 525 Market Street, San Francisco 5, Calif.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to August 31, 1962.

Dated: February 15, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 62-2173; Filed, Mar. 5, 1962; 8:46 a.m.]

[Delegation of Authority 30-VIII-21]

BRANCH COUNSEL, SIOUX FALLS, S. DAK.

Delegation Relating to Legal Functions

I. Pursuant to the authority delegated to the Branch Manager by Delegation of Authority No. 30-VIII-15, as amended (25 F.R. 10302, 27 F.R. 69) there is hereby redelegated to the Branch Counsel, Sioux Falls, South Dakota Branch Office, the authority:

A. *Financial assistance.* To disburse approved loans.

II. The authority delegated herein may not be redelegated.

III. The authority delegated herein may be exercised by any SBA employee designated as Acting Branch Counsel.

Effective date: December 1, 1961.

EDWIN JENISON,
Branch Manager.

[F.R. Doc. 62-2174; Filed, Mar. 5, 1962; 8:47 a.m.]

[Delegation of Authority 30-I-15 (Rev. 1)]

BRANCH MANAGER, AUGUSTA, MAINE

Delegation Relating to Financial Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 6), as amended (25 F.R. 1706, 7418, 26 F.R. 177, 1456, 27 F.R. 372), there is hereby redelegated to the Branch Manager, Augusta, Maine, the authority:

A. *Financial assistance.* 1. To approve but not decline the following types of loans:

a. Direct loans in an amount not exceeding $20,000.

b. Participation loans in an amount not exceeding $100,000.

c. Disaster loans in an amount not exceeding $50,000.

d. Limited loan participation loans.

2. To disburse approved loans.

3. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

JOHN E. HORNE,
Administrator.
By ----------,
Branch Manager.

4. To enter into Disaster Loan Participation Agreements with banks.

5. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

7. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

8. To take all necessary actions in connection with the administration, servicing, and collection of current loans.

B. *Administration.* 1. To administer oaths of office.

2. To approve (a) annual and sick leave, except advanced annual and sick leave, and (b) leave without pay, not to exceed 30 days.

3. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of $10 in any one object class in any one instance but not more than $20 in any one month for total purchases in all object classes; (b) make purchases not in excess of $10 in any one instance for "one-time use items" not carried in stock subject to the total limitation set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed $20 in any one instance.

4. To administratively approve all types of vouchers, invoices, and bills submitted by public creditors of the Agency for articles or services rendered.

5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

6. In connection with the establishment of Disaster Loan Offices, to (a) obligate SBA to reimburse General Services Administration for the rental of office space, (b) rent office equipment, and procure emergency supplies and materials.

7. To procure from the General Services Administration standard forms and supply items listed in Part I of the SBA Index of Standard Supply Items.

8. To authorize or approve official travel.

II. The specific authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager is rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: December 22, 1961.

EDWARD J. STEWART,
Regional Director.

[F.R. Doc. 62-2175; Filed, Mar. 5, 1962; 8:47 a.m.]

[Declaration of Disaster Area 365]

LOUISIANA

Declaration of Disaster Area

Whereas it has been reported that on or about February 12, 1962, due to a freeze, damage resulted to business firms located in the Parishes of Calcasieu, Jefferson-Davis, Lafayette, East Baton Rouge, Jefferson, St. Tammany, Rapides, Caddo, Bossier, Lincoln, Ouachita, Morehouse, Acadia, and Natchitoches in the State of Louisiana;

Whereas the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from nursery firms which produce or grow less than fifty percent of the flora they sell, situated in the aforesaid parishes (including any areas adjacent to said parishes) which suffered damage or destruction of flora as a result of the aforesaid freeze.

Offices: Small Business Administration Regional Office, Fidelity Building, 1000 Main Street, Dallas 2, Tex.; and Small Business Administration Branch Office, Federal Office Building, Room 303, 610 South Street, New Orleans 12, La.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to April 31, 1962.

Dated: February 16, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 62-2176; Filed, Mar. 5, 1962; 8:47 a.m.]

MANUFACTURERS' ASSOCIATION FOR NATIONAL DEFENSE (MANDCO)

Pool Operation; Approval and Requests

APPROVAL FOR THE MANUFACTURERS' ASSOCIATION FOR NATIONAL DEFENSE (MANDCO), CHICAGO, ILLINOIS, TO OPERATE AS A SMALL BUSINESS RESEARCH AND DEVELOPMENT POOL AND REQUEST TO OPERATE AS A DEFENSE PRODUCTION POOL, AND REQUEST TO CERTAIN COMPANIES TO PARTICIPATE IN THE OPERATIONS OF SUCH POOL

Pursuant to sections 9(d) and 11 of the Small Business Act (Public Law 85-536, as amended), and section 1 of Executive Order 10493, dated October 15, 1953, the Administrator of the Small Business Administration, after consultation with the Chairman of the Federal Trade Commisison and the Attorney General of the United States, has found that the voluntary agreement and proposed joint programs of the Manufacturers' Association for National Defense (MANDCO) to operate as a small business research and development pool and as a defense production pool, is in the public interest as contributing to the national defense and to the needs of small business, will maintain and strengthen the free enterprise system and economy of the United States and will further the objectives of the Small Business Act.

Having received the approval of the Attorney General of the United States as required by sections 9(d) and 11 of the Small Business Act, the Administrator of the Small Business Administration has approved the voluntary agreement and proposed joint program of the Manufacturers' Association for National Defense (MANDCO) as a research and development pool and has requested it to act in accordance with this agreement and proposed program as a small busines defense production pool.

In accordance with the requirements of section 9(d) and 11 of the Small Business Act, there is set forth herewith a copy of the aforesaid request.

REQUEST TO MANUFACTURERS' ASSOCIATION FOR NATIONAL DEFENSE (MANDCO)

Following consultation with the Attorney General of the United States and the Chairman of the Federal Trade Commission, I find that the voluntary agreement and proposed joint program of the Manufacturers' Association for National Defense (MANDCO) to operate as a small business research and development pool and a small business defense production pool is in the public interest as contributing to the national defense and to the needs of small business, will maintain and strengthen the free enterprise system and economy of the United States, and further the objectives of the Small Business Act.

Having also received the approval of the Attorney General of the United States as required by sections 9(d) and 11 of the Small Business Act, I, in accordance with those sections, approve your voluntary agree-

ment and proposed joint program and request the pool to act in accordance with said agreement and proposed joint program as a defense production pool.

The immunity from the prohibitions of the antitrust laws or the Federal Trade Commission Acts, as granted by sections 9(d) and 11 of the Small Business Act, will cease upon withdrawal by the Attorney General of the United States or myself of the above findings, approval or request.

The approval by the Attorney General of the United States is limited to activities engaged in between the pool and its members and does not extend to subcontracting with nonmembers. This should not be interpreted, however, as meaning that such subcontracting would necessarily be in violation of the antitrust laws.

Please inform me as to whether the pool will act in accordance with my request.

With kind regards, I am

Sincerely,

JOHN E. HORNE,
Administrator.

REQUEST TO MEMBERS OF MANUFACTURERS' ASSOCIATION FOR NATIONAL DEFENSE (MANDCO)

Following consultation with the Attorney General of the United States and the Chairman of the Federal Trade Commission, I find that the voluntary agreement and proposed joint program of the Manufacturers' Association for National Defense (MANDCO) to operate as a small business research and development pool and a small business defense production pool is in the public interest as contributing to the national defense and to the needs of small business, will maintain and strengthen the free enterprise system and economy of the United States, and further the objectives of the Small Business Act.

Having also received the approval of the Attorney General of the United States as required by sections 9(d) and 11 of the Small Business Act, I, in accordance with those sections, approve your voluntary agreement and proposed joint program and request the pool to act in accordance with said agreement and proposed joint program as a defense production pool.

The immunity from the prohibitions of the antitrust laws or the Federal Trade Commission Acts, as granted by sections 9(d) and 11 of the Small Business Act, will cease upon withdrawal by the Attorney General of the United States or myself of the above findings, approval or request.

The approval by the Attorney General of the United States is limited to activities engaged in between the pool and its members and does not extend to subcontracting with nonmembers. This should not be interpreted, however, as meaning that such subcontracting would necessarily be in violation of the antitrust laws.

Please inform me as to whether you will become a member of and participate in the joint program of the pool.

With kind regards, I am

Sincerely,

JOHN E. HORNE,
Administrator.

The immunity from the prohibitions of the antitrust laws or the Federal Trade Commission Act as granted by sections 9(d) and 11 of the Small Business Act, will cease upon withdrawal by the Attorney General of the United States or the Administrator of the Small Business Administration of the above findings, approval or request.

The above letter was sent to the following:

1. A. and A. Machine Co., 3512 North Southport Avenue, Chicago 13, Ill.
2. All American Metal Spinning Co., 2132 West Grand Avenue, Chicago 12, Ill.
3. T. L. Arzt Foundry Co., 4020 West Schubert Avenue, Chicago 39, Ill.
4. H. P. Heinze Machine Co., 6300 Northwest Highway, Chicago 31, Ill.
5. Industrial Metal Fabrication, 5810 North Western Avenue, Chicago 45, Ill.
6. Charles E. Larson and Sons, Inc., 2665 North Keeler Avenue, Chicago 39, Ill.

The pool and the above six members accepted the request to participate.

Dated February 23, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 62-2177; Filed, Mar. 5, 1962; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

JOHN A. CLAUSSEN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past 6 months.

A. Deletions: Bullard Co.
B. Additions: None.

This statement is made as of February 23, 1962.

JOHN A. CLAUSSEN.

FEBRUARY 23, 1962.

[F.R. Doc. 62-2192; Filed, Mar. 5, 1962; 8:48 a.m.]

DONALD B. FITZPATRICK

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past 6 months.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of February 16, 1962.

DONALD B. FITZPATRICK.

FEBRUARY 16, 1962.

[F.R. Doc. 62-2193; Filed, Mar. 5, 1962; 8:48 a.m.]

RICHARD V. FORD

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past 6 months.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of February 24, 1962.

RICHARD V. FORD.

FEBRUARY 24, 1962.

[F.R. Doc. 62-2194; Filed, Mar. 5, 1962; 8:49 a.m.]

HOWARD C. HOLMES

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past 6 months.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of February 7, 1962.

HOWARD C. HOLMES.

FEBRUARY 27, 1962.

[F.R. Doc. 62-2195; Filed, Mar. 5, 1962; 8:49 a.m.]

[Dept. Order 117 (Revised), Amdt. 2]

MARITIME ADMINISTRATION

Organization and Functions

The following amendment to the order was issued by the Secretary of Commerce on February 21, 1962.

The material appearing at 26 F.R. 7713-7716 of August 17, 1961, and 27 F.R. 701 of January 24, 1962 is further amended as follows:

Department Order No. 117 (Revised) of August 12, 1961 is amended by deleting the last sentence of section 6.01 14 and substituting the following: "The Office of Government Aid has the following divisions: Division of Subsidy Contracts, Division of Mortgage-Insurance Contracts, Division of Operating Costs, Division of Trade Routes, and Division of Subsidy Operations Examining;"

Effective date: February 21, 1962.

JOHN PRINCE,
Deputy Assistant Secretary for Administration.

[F.R. Doc. 62-2182; Filed, Mar. 5, 1962; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[No. 33440]

PREVENTION OF RAIL-HIGHWAY GRADE-CROSSING ACCIDENTS INVOLVING RAILWAY TRAINS AND MOTOR VEHICLES

Notice of Hearing

It appearing that at the oral hearing in the above-entitled proceeding it was tentatively agreed among the parties that the hearing in this proceeding be continued to a date in April 1962, but the parties have since then requested that the hearing be advanced to an earlier date, and good cause therefor appearing;

It is ordered, That hearing in the above-entitled proceeding be, and it is hereby, continued on March 27, 1962, at the New Mint Building, 133 Hermann Street, San Francisco, California, at 9:30 a.m., United States standard time, before Examiner Henry J. Vinskey, and before such representatives of the State Commissions as shall be designated under the Cooperative Agreement between the Interstate Commerce Commission and State Commissioners of May 3, 1922, as revised October 14, 1925, and as further supplemented and adopted as of August 31, 1937;

And it is further ordered, That notice of this order shall be given to respondents and to the general public by posting a copy thereof in the Office of the Secretary of the Commission in Washington, D.C., for public inspection and by filing a copy with the Director of the Office of the Federal Register for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 23d day of February A.D. 1962.

By the Commission, Commissioner Tuggle.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-2178; Filed, Mar. 5, 1962; 8:47 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

MARCH 1, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37578: *Bituminous coal to West Memphis, Ark.* Filed by Southwestern Freight Bureau, Agent (No. B-8162), for interested rail carriers. Rates on bituminous coal, as described in the application, in carloads, from producing mines in Illinois and western Kentucky, to West Memphis, Ark.

Grounds for relief: Private truck competition.

Tariff: Supplement 126 to Southern Freight Association tariff I.C.C. 1603 (Spaniger series), and other schedules named in the application.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-2179; Filed, Mar. 5, 1962; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—MARCH

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during March.